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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1921 Session of  
2023

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INTRODUCED BY MALAGARI, SANCHEZ, BOYD, HILL-EVANS, MADDEN,  
CURRY, CERRATO, KHAN, ZIMMERMAN AND GREEN, DECEMBER 27, 2023

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 27, 2023

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AN ACT

1 Amending the act of December 9, 2002 (P.L.1701, No.214),  
2 entitled "An act protecting the free exercise of religion;  
3 and prescribing the conditions under which government may  
4 substantially burden a person's free exercise of religion,"  
5 further providing for definitions; and providing for land use  
6 regulation limited.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 3 of the act of December 9, 2002  
10 (P.L.1701, No.214), known as the Religious Freedom Protection  
11 Act, is amended by adding a definition to read:

12 Section 3. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 \* \* \*

17 "Charitable use." The use of property for the advancement of  
18 a charitable purpose, including:

19 (1) the relief of poverty;

20 (2) the advancement and provision of education,

1 including postsecondary education;  
2 (3) the advancement of religion; and  
3 (4) the prevention and treatment of disease or injury.

4 \* \* \*

5 Section 2. The act is amended by adding a section to read:

6 Section 4.1. Land use regulation limited.

7 (a) General rule.--An agency may not impose or implement a  
8 land use regulation in a manner that regulates charitable uses  
9 related to a person's free exercise of religion within the  
10 existing buildings, facilities and capacities of a place of  
11 regularly stated public worship, unless:

12 (1) the regulation is necessary to protect the health,  
13 safety or welfare of the community; and

14 (2) the protection of health, safety and welfare cannot  
15 be achieved through less restrictive means.

16 (b) Defense.--Notwithstanding section 5, a person may assert  
17 a violation of this section as a defense in a judicial or  
18 administrative proceeding.

19 Section 3. This act shall take effect in 60 days.