March 10, 2026

Chairman Mike Thompson
Senate Federal and State Affairs Committee
State Capitol
Topeka, KS

SUBJECT: SB 520 – Interference With Conduct of a Religious Assembly

Dear Chairman Thompson & Members of the Committee:

My name is Lance Kinzer, and I am the Policy Director for 1st Amendment Partnership where we are privileged to work with some of the nation's largest faith communities with respect to their common commitment to First Amendment freedoms.

Overview

SB 520 seeks to both strengthen and clarify Kansas law in relation to interference with the conduct of a religious assembly. The bill seeks to balance the free speech rights of protestors with the free exercise rights of those lawfully gathered at a place of worship and is narrowly tailored to serve the state's profound interest in the protection of worshipers from harassment and potential violence.

As a prefatory matter, were the Committee to work the bill, Sec 1.(a)(1) should be slightly amended to reference section 7 (Religious Liberty), as well as section 3 (Right of Peaceable Assembly), of the Kansas Bill of Rights.[1] Moreover, Sec 1.(a)(2) involving intentional damage to property of a place of religious worship, should (as in current law) apply only in cases where the damage is other than by fire or explosive, so as not to preclude application of penalties for arson or use of an explosive device. Moreover, the *mens rea* standard for Sec 1.(a)(2) should be "recklessly" rather than "intentionally' so as to better comport with current law (further detail provided below).

[1] Constitution of the State of Kansas, Bill of Rights § 3. Right of peaceable assembly; petition. The people have the right to assemble, in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the government, or any department thereof, for the redress of grievances; § 7. Religious liberty; no property qualification shall be required for holding public office. The right to worship God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of or interference with the rights of conscience be permitted, nor any preference be given by law to any religious establishment or mode of worship. No religious test or property qualification shall be required for any office of public trust, nor for any vote at any election, nor shall any person be incompetent to testify on account of religious belief.

While a recent protest and disruption of a service at a church in St. Paul, Minnesota has garnered significant attention, this bill responds to a much broader reality. **Social norms against disrupting religious services at houses of worship have eroded, making them targets for, rather than sanctuaries from, intimidation and harassment.**

The National Jewish Advocacy Center recently noted that worshippers face a rising onslaught of disruptive demonstrations and violent attacks directly targeting religious facilities: In November 2025 at a Manhattan, NY synagogue and in January 2025 at a Brooklyn, NY synagogue mobs harassed worshippers with chants calling for violence against Israelis and Jews, declaring support for terrorism and the intent to intimidate worshippers; recently protesters have invaded and disrupted synagogues in Los Angeles and on Long Island; within recent months fatal attacks struck a church in Minneapolis, a synagogue in the United Kingdom, and a religious celebration at Bondi Beach in Australia.

The Family Research Council reports that in the United States, 383 churches endured a combined total of 415 hostile incidents in 2024, including vandalism, arson, armed aggression, and service disruptions. Armed incidents more than doubled from 12 in 2023 to 28 in 2024. To date, FRC has identified 1,384 acts of hostility toward U.S. churches, occurring between January 2018 and December 2024.

As harassment and violence increase so, understandably, do measures instituted by religious communities dealing with complex new security realities. A website maintained by the Federal Government provides a helpful overview of the nature of current threats, as well as available federal grant money to aid houses of worship in implementing security protocols (See: https://www.cisa.gov/topics/physical-security/protecting-houses-worship). **With this in mind SB 520 is best viewed as just one part of a broader effort to ensure that religious worship takes place safely, unimpeded by external threats. While SB 520 includes both criminal and civil penalties, as well as a private cause of action, its purpose is just as much about deterrence as it is punishing wrongdoers, or making victims whole.**

Current KS Law in Relation to SB 520

Kansas law currently defines the crime of "Criminal Desecration" to include, "recklessly, by means other than by fire or explosive: damaging, defacing or destroying any place of worship." The current penalties for this crime range from a Class A nonperson misdemeanor to a severity level 7, nonperson felony, depending upon the extent of damage. (See K.S.A. 21-6205(a)(2)(D)).

Of course, more general crimes, such Arson (K.S.A. 21-5812); Criminal Use of Explosives (K.S.A. 21-5814); Assault (K.S.A 21-5412), Battery (K.S.A. 21-5413), Criminal Trespass (K.S.A. 21-5808) and a host of others, may currently be applicable in this context depending upon the facts of a given case. Furthermore, numerous common law civil actions may apply as well.

The point of SB 520 is to provide for more specific and particularized criminal and civil remedies commensurate with the seriousness of interfering with a religious assembly. Kansas

law already does something similar as to criminal penalties for interference with public business being carried out in government buildings.[2] The structure of SB 520 largely mirrors existing federal law being relied upon for prosecution in the recent disruption at Cities Church in St. Paul, Minesota. But, Kansas prosecutors shouldn't have to hope for federal action in order to properly protect religious worship.

Overview of SB 520's Provisions

Section 1 – Section 1 establishes 3 new crimes with related penalty provisions:

1. By force, threat of force or by physical obstruction, intentionally injuring, intimidating or interfering with free exercise at a place of religious worship. This crime would be a severity level 10 person felony for a first offence, and a severity level 6 person felony for a second or subsequent offense.

2. Intentionally damaging, defacing or destroying the property of a place of religious worship. This crime would be a Class A nonperson misdemeanor if the property that is damaged has a value of less than $1,000; a severity level 9, nonperson felony if the property that is damaged, has a value of $1,000 or more but less than $25,000; and a severity level 7, nonperson felony if the property that is damaged, has a value of $25,000 or more. These penalties track with current penalties for "Criminal Desecration", but by placing the crime in this section, various specific civil damages and penalties would also now be available.

3. Aggravated interference with the conduct of a religious assembly is interference with the conduct of a religious assembly per #1 above, when in possession of any firearm or weapon that is an offense under K.S.A. 21-6301(Criminal Use of Weapons) or 21-6302 (Criminal Carrying of a Weapon). This crime would be a severity level 4 person felony.

[2] 21-5922. Interference with the conduct of public business in public buildings; aggravated interference with the conduct of public business. (a) Interference with the conduct of public business in public buildings is:
(1) Conduct at or in any public building owned, operated or controlled by the state or any of its political subdivisions so as to knowingly deny to any public official, public employee or any invitee on such premises, the lawful rights of such official, employee or invitee to enter, to use the facilities or to leave any such public building;
(2) knowingly impeding any public official or employee in the lawful performance of duties or activities through the use of restraint, abduction, coercion or intimidation or by force and violence or threat thereof;
(3) knowingly refusing or failing to leave any such public building upon being requested to do so by the chief administrative officer, or such officer's designee, charged with maintaining order in such public building, if such person is committing, threatens to commit or incites others to commit, any act which did or would if completed, disrupt, impair, interfere with or obstruct the lawful missions, processes, procedures or functions being carried on in such public building;
(4) knowingly impeding, disrupting or hindering the normal proceedings of any meeting or session conducted by any judicial or legislative body or official at any public building by any act of intrusion into the chamber or other areas designated for the use of the body or official conducting such meeting or session, or by any act designed to intimidate, coerce or hinder any member of such body or any official engaged in the performance of duties at such meeting or session; or
(5) knowingly impeding, disrupting or hindering, by any act of intrusion into the chamber or other areas designed for the use of any executive body or official, the normal proceedings of such body or official.
(b) Aggravated interference with the conduct of public business is interference with the conduct of public business in public buildings, as defined in subsection (a), when in possession of any firearm or weapon as described in K.S.A. 21-6301 or 21-6302, and amendments thereto.
(c) (1) Interference with the conduct of public business in public buildings is a class A nonperson misdemeanor:*
(2) Aggravated interference with the conduct of public business is a level 6, person felony.

Section 1 also defines terms such as "Interfere with", "Intimidate", and "Physical Obstruction" consistent with federal law.

Section 2 - Section 2 creates a private civil cause of action for a religious institution or individual harmed as a result of conduct prohibited by Section 1. In addition to other normal course damages, to include attorney fees, a prevailing plaintiff could also elect statutory damages of up to $5,000 per violation in lieu of actual damages.

Under this Section the Attorney General would also be authorized to pursue a civil cause of action, with damages going to the victim. And a Court would have the discretion, in order to vindicate the public interest, to impose a separate civil penalty.

Section 3 – Section 3 merely cleans up existing K.S.A. 21-6205 given the new provisions in SB 520.

Section 4 – Section 4 grants the AG concurrent jurisdiction in cases where the course of conduct involved in a violation of Section 1 occurs in two or more counties.

Conclusion

Determining the appropriate criminal and civil penalties for various forms of misconduct is always a matter that requires a great deal reflection and care. SB 520 seeks to establish penalties and remedies that reflect the seriousness of interfering with a core liberty interest like free exercise of religion. The hope is that these provisions will serve as a serious deterrent to such conduct in Kansas.

Thank you so much for your attention to this matter. Please don't hesitate to contact me with any questions you may have.

Respectfully,

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