



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1199 (as introduced 3-29-06)
Sponsor: Senator Jud Gilbert, II
Committee: Senior Citizens and Veterans Affairs

Date Completed: 4-26-06

CONTENT

The bill would create a new act to do all of the following:

- Allow a local unit of government (a city, village, township, or county) to pass ordinances it considered "necessary to protect and preserve the peace and respect toward those attending or conducting a funeral or memorial service".**
- Allow such an ordinance to require a permit to demonstrate or protest at a funeral or memorial service.**
- Allow an ordinance to prohibit certain conduct within 500 feet of a funeral, memorial service, viewing of a deceased person, funeral procession, or burial.**
- Require that a local unit impose reasonable fines for violations of an ordinance adopted under the bill.**

An ordinance authorized under the bill could include requiring a permit before a person could demonstrate or protest on public property outside of a funeral home, church, cemetery, or other location at which a funeral service or memorial service was being held. The local unit could assess a reasonable fee for processing and granting a permit.

An ordinance allowed under the bill also could include other provisions the local unit considered necessary, including prohibiting any person from doing any of the following within 500 feet of a building or other location where a funeral, memorial service, or viewing of a deceased person was being conducted, or within 500 feet of a funeral procession or burial in the hour immediately before, or during, or in the two hours immediately after:

- Making loud and raucous noise and continuing to do so after being asked to stop.
- Making any statement to or gesturing at a person attending or involved in the funeral, memorial service, viewing, funeral procession, or burial that would make the person, under the circumstances, reasonably feel intimidated, threatened, or harassed.
- Engaging in any other conduct that the person knew or reasonably should know would disturb, disrupt, or adversely affect the funeral, service, viewing, procession, or burial.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would likely have a negligible impact on local unit revenue and expenses. It is unknown how many local units would choose to enact ordinances under the bill. Enforcement of the ordinances would likely have a negligible impact on local unit expenses.

Similarly, it is unknown how many fines would be levied or how many permits would be purchased, but the amount is expected to be minimal.

This estimate is preliminary and will be revised as new information becomes available.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.