

## RESTRICTIONS ON FUNERAL DEMONSTRATIONS

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### Senate Bill 1256

Sponsor: Sen. Roger Kahn, M.D.

House Committee: Intergovernmental, Urban, and Regional Affairs

Senate Committee: Local, Urban, and State Affairs

Complete to 6-3-08

### A SUMMARY OF SENATE BILL 1256 AS PASSED BY THE SENATE 4-30-08

The bill would amend Public Act 152 of 2006 (MCL 123.1113), which authorizes local officials to pass ordinances regulating activity within 500 feet of a building or other location where a funeral service or memorial service is being conducted, to refer instead to activity within 500 feet *of the property line* of a building or other location where a funeral service, memorial service, or burial is being conducted.

Currently under the act, officials of local units of government (a city, village, township, or county) can pass ordinances "to protect and preserve the peace and respect" toward those attending or conducting a funeral or memorial service. Specifically, a local ordinance may prohibit any of the following within 500 feet of a building or other location where a funeral, memorial service, burial, or viewing of a deceased person is being conducted; or within 500 feet of a funeral procession in the hour immediately before, during, or in the two hours immediately following the procession:

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

Under the bill, these provisions are all retained. Further, an ordinance could prohibit the behavior described above within 500 feet *of the property line* of a building or other location specified above.

### FISCAL IMPACT:

The bill would have no fiscal impact on state or local government.

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