

SUBSTITUTE FOR

SENATE BILL NO. 1199

(As amended May 11, 2006)

A bill to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. A local unit of government may pass such ordinances as
2 it considers necessary to protect and preserve the peace and
3 respect toward those attending or conducting a funeral or memorial
4 service.

5 Sec. 2. (1) An ordinance authorized under section 1 may
6 include the requiring of a permit before a person can demonstrate
7 on public property outside of any funeral home, church, [synagogue,
mosque, any other place of worship,] cemetery,

1 or any other location at which a funeral service or memorial
2 service is being held.

3 (2) The local unit of government may assess a reasonable fee
4 for the processing and granting of a permit allowed under this act.

5 Sec. 3. The ordinance authorized under section 1 may also
6 include such other provisions as the local unit of government
7 considers necessary, including, but not limited to, prohibiting any
8 person from doing any of the following within 500 feet of a
9 building or other location where a funeral, memorial service, or
10 viewing of a deceased person is being conducted or within 500 feet
11 of a funeral procession or burial in the hour immediately before,
12 or during, or in the 2 hours immediately following:

13 (a) Making loud and raucous noise and continuing to do so
14 after being asked to stop.

15 (b) Making any statement or gesture that would make a
16 reasonable person under the circumstances feel intimidated,
17 threatened, or harassed.

18 (c) Engaging in any other conduct that the person knows or
19 should reasonably know will disturb, disrupt, or adversely affect
20 the funeral, memorial service, viewing of the deceased person,
21 funeral procession, or burial.

22 Sec. 4. The local unit of government shall impose reasonable
23 fines for violations of an ordinance adopted under this act.

24 Sec. 5. As used in this act, "local unit of government" means
25 a city, village, township, or county.