

# SENATE BILL No. 1171

March 16, 2006, Introduced by Senators BASHAM, OLSHOVE, BARCIA, BISHOP, GOSCHKA, JACOBS, BIRKHOLZ, PATTERSON, PRUSI, SWITALSKI, EMERSON, CHERRY and ALLEN and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 168 (MCL 750.168) and by adding section 167d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 167D. (1) A PERSON SHALL NOT DO ANY OF THE FOLLOWING  
2 WITHIN 500 FEET OF A BUILDING OR OTHER LOCATION WHERE A FUNERAL,  
3 MEMORIAL SERVICE, OR VIEWING OF A DECEASED PERSON IS BEING  
4 CONDUCTED OR WITHIN 500 FEET OF A FUNERAL PROCESSION OR BURIAL IN  
5 THE HOUR IMMEDIATELY BEFORE, OR DURING, OR IN THE HOUR IMMEDIATELY  
6 FOLLOWING:

7           (A) MAKE ANY STATEMENT TO OR GESTURE AT A PERSON ATTENDING OR  
8 INVOLVED IN THE FUNERAL, MEMORIAL SERVICE, OR VIEWING OF THE  
9 DECEASED PERSON, IN THE FUNERAL PROCESSION, OR AT THE BURIAL THAT  
10 WOULD MAKE THE PERSON UNDER THE CIRCUMSTANCES TO REASONABLY FEEL

1 INTIMIDATED, THREATENED, OR HARASSED.

2 (B) ENGAGE IN ANY OTHER CONDUCT THAT THE PERSON KNOWS OR  
3 SHOULD REASONABLY KNOW WILL DISTURB, DISRUPT, OR ADVERSELY AFFECT  
4 THE FUNERAL, MEMORIAL SERVICE, VIEWING OF THE DECEASED PERSON,  
5 FUNERAL PROCESSION, OR BURIAL.

6 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS A DISORDERLY  
7 PERSON AND IS GUILTY OF A MISDEMEANOR.

8 Sec. 168. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A  
9 person convicted of being a disorderly person ~~shall be~~ IS guilty  
10 of a misdemeanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90  
11 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

12 (2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER  
13 SECTION 167D IS GUILTY OF A MISDEMEANOR PUNISHABLE AS FOLLOWS:

14 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), BY IMPRISONMENT FOR  
15 NOT MORE THAN 90 DAYS OR A FINE OF NOT MORE THAN \$1,000.00, OR  
16 BOTH.

17 (B) IF THE PERSON WAS PREVIOUSLY CONVICTED OF VIOLATING  
18 SECTION 167D, BY IMPRISONMENT FOR NOT MORE THAN 180 DAYS OR A FINE  
19 OF NOT MORE THAN \$2,000.00, OR BOTH.