

SUBSTITUTE FOR
HOUSE BILL NO. 4284

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 167d (MCL 750.167d), as added by 2006 PA 148.

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:

5 ~~— (a) Make loud and raucous noise and continue to do so after~~
6 ~~being asked to stop.~~

7 **(A) ~~(b)~~ Make any statement or gesture OR ENGAGE IN ANY CONDUCT**
8 that would make a reasonable person **ATTENDING THAT FUNERAL,**
9 **MEMORIAL SERVICE, VIEWING, PROCESSION, OR BURIAL** under the
10 circumstances feel intimidated, threatened, or harassed **AND THAT**

1 MAKES ANY PERSON ATTENDING THAT FUNERAL, MEMORIAL SERVICE, VIEWING,
2 PROCESSION, OR BURIAL FEEL INTIMIDATED, THREATENED, OR HARASSED.

3 ~~—— (c) Engage in any other conduct that the person knows or~~
4 ~~should reasonably know will disturb, disrupt, or adversely affect~~
5 ~~the funeral, memorial service, viewing of the deceased person,~~
6 ~~funeral procession, or burial.~~

7 (B) MAKE ANY STATEMENT OR GESTURE OR ENGAGE IN ANY CONDUCT
8 INTENDED TO INCITE OR PRODUCE AN IMMINENT BREACH OF THE PEACE AMONG
9 THOSE ATTENDING THAT FUNERAL, MEMORIAL SERVICE, VIEWING, OR BURIAL
10 OR TRAVELING IN THAT PROCESSION AND THAT CAUSES AN IMMINENT BREACH
11 OF THE PEACE AMONG THOSE ATTENDING THAT FUNERAL, MEMORIAL SERVICE,
12 VIEWING, OR BURIAL OR TRAVELING IN THAT PROCESSION.

13 (C) MAKE ANY STATEMENT OR GESTURE OR ENGAGE IN ANY CONDUCT
14 INTENDED TO DISRUPT THE FUNERAL, MEMORIAL SERVICE, VIEWING,
15 PROCESSION, OR BURIAL AND THAT DISRUPTS THE FUNERAL, MEMORIAL
16 SERVICE, VIEWING, PROCESSION, OR BURIAL.

17 (2) A PERSON SHALL NOT INTENTIONALLY OBSTRUCT, HINDER, IMPEDE,
18 OR BLOCK ANOTHER PERSON'S ENTRY TO OR EXIT FROM A FUNERAL, MEMORIAL
19 SERVICE, VIEWING OF A DECEASED PERSON, FUNERAL PROCESSION, OR
20 BURIAL. THIS SUBSECTION DOES NOT APPLY TO A PERSON CONDUCTING OR
21 ASSISTING IN THE CONDUCTING OF THE FUNERAL, MEMORIAL SERVICE,
22 VIEWING, FUNERAL PROCESSION, OR BURIAL.

23 (3) ~~(2)~~ A person who violates ~~subsection (1)~~ THIS SECTION is a
24 disorderly person and is guilty of a felony punishable as provided
25 under section 168.