DEMONSTRATIONS AT FUNERAL SERVICES

Act 152 of 2006

AN ACT 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.

History: 2006, Act 152, Imd. Eff. May 24, 2006

The People of the State of Michigan enact:

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123.1111 Funeral or memorial service; ordinances.

Sec. 1.

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

History: 2006, Act 152, Imd. Eff. May 24, 2006

123.1112 Demonstration; permit required; fee.

Sec. 2.

(1) An ordinance authorized under section 1 may include the requiring of a permit before a person can demonstrate on public property outside of any funeral home, church, synagogue, mosque, any other place of worship, cemetery, or any other location at which a funeral service or memorial service is being held.

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

History: 2006, Act 152, Imd. Eff. May 24, 2006

123.1113 Ordinance; additional provisions.

Sec. 3.

The ordinance authorized under section 1 may also include such other provisions the local unit of government considers necessary, including, but not limited to, prohibiting any person from doing any of the following within 500 feet of the property line 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, or during, or in the 2 hours immediately following:

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

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

(c) 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.

History: 2006, Act 152, Imd. Eff. May 24, 2006 ;-- Am. 2008, Act 166, Imd. Eff. June 26, 2008

123.1114 Fines.

Sec. 4.

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

History: 2006, Act 152, Imd. Eff. May 24, 2006

123.1115 "Local unit of government" defined.

Sec. 5.

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

History: 2006, Act 152, Imd. Eff. May 24, 2006

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