

1 HB238
2 126782-9
3 By Representative Bridges
4 RFD: Judiciary
5 First Read: 08-FEB-12

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ENROLLED, An Act,

To amend Section 13A-11-17 of the Code of Alabama 1975, providing the offense of disrupting a funeral or memorial service, to increase the distance within which a protest is prohibited subject to existing penalties; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-11-17 of the Code of Alabama 1975, is amended to read as follows:

"§13A-11-17.

"(a) A person commits the crime of disrupting a funeral or memorial service if, during the 60 minutes immediately preceding a funeral or memorial service that has a scheduled starting time, during the funeral or memorial service, or immediately following the funeral or memorial service, the person does any of the following with the intention of disrupting the funeral or memorial service:

"(1) Engages in a protest, including, but not limited to, protest with or without using an electric sound

1 amplification device, that involves singing, chanting,
2 whistling, yelling, or honking a motor vehicle horn within ~~500~~
3 1,000 feet of the entrance to a facility being used for a
4 funeral or memorial service.

5 "(2) Blocks access to a facility being used for the
6 service.

7 "(3) Impedes vehicles that he or she knows are part
8 of the procession.

9 "(b) For purposes of this section, the term
10 "facility" includes a funeral home, church, or cemetery in
11 which the funeral or memorial service takes place.

12 "(c) A violation of subsection (a) is a Class A
13 misdemeanor for the first conviction and a Class C felony for
14 each subsequent conviction."

15 Section 2. Although this bill would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds, the bill is excluded from further
18 requirements and application under Amendment 621, now
19 appearing as Section 111.05 of the Official Recompilation of
20 the Constitution of Alabama of 1901, as amended, because the
21 bill defines a new crime or amends the definition of an
22 existing crime.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

