

1 b. the interests of families in privately and peacefully
2 mourning the loss of deceased relatives are violated
3 when funerals are targeted for picketing and other
4 public demonstrations,

5 c. picketing of funerals causes emotional disturbance and
6 distress to grieving families who participate in
7 funerals, and

8 d. full opportunity exists under the terms and provisions
9 of this section for the exercise of freedom of speech
10 and other constitutional rights at times other than
11 the period from ~~one hour~~ two (2) hours before the
12 scheduled commencement of funeral services until ~~one~~
13 ~~hour~~ two (2) hours after the actual completion of the
14 funeral services.

15 B. The purposes of this section are to:

16 1. Protect the privacy of grieving families during the period
17 from ~~one hour~~ two (2) hours before the scheduled commencement of the
18 funeral services until ~~one hour~~ two (2) hours after the actual
19 completion of the funeral services; and

20 2. Preserve the peaceful character of cemeteries, mortuaries
21 and churches from ~~one hour~~ two (2) hours before the scheduled
22 commencement of funerals services until ~~one hour~~ two (2) hours after
23 the actual completion of the funeral services.

24 C. As used in this section:

1 1. "Funeral" means the ceremonies, processions and memorial
2 services held in connection with the burial or cremation of the
3 dead; and

4 2. "Picketing" means protest activities engaged in by a person
5 or persons within ~~five hundred (500)~~ one thousand (1,000) feet of
6 the property line of a cemetery, mortuary, church or other place
7 where any portion of a funeral service is held during the period
8 from ~~one hour~~ two (2) hours before the scheduled commencement of
9 funeral services until ~~one hour~~ two (2) hours after the actual
10 completion of the funeral services.

11 D. It is unlawful for any person to engage in picketing within
12 ~~five hundred (500)~~ one thousand (1,000) feet of the property line of
13 any cemetery, church, mortuary or other place where any portion of a
14 funeral service is held during the period from ~~one hour~~ two (2)
15 hours before the scheduled commencement of funeral services until
16 ~~one hour~~ two (2) hours after the actual completion of the funeral
17 services.

18 E. Any person violating the provisions of this section shall be
19 guilty of a misdemeanor and upon conviction thereof shall be
20 punished by a fine of not more than Five Hundred Dollars (\$500.00),
21 or by imprisonment in the county jail of not more than thirty (30)
22 days, or by both such fine and imprisonment.

23 F. Notwithstanding the penalties provided in subsection E, any
24 district court may enjoin conduct proscribed by this section and may

1 in any such proceeding award damages, including punitive damages
2 attorney fees or other appropriate relief against the persons found
3 guilty of actions made unlawful by this section.

4 SECTION 2. This act shall become effective November 1, 2011.

5
6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03-29-2011 - DO
7 PASS.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24