

PUBLIC DEMONSTRATIONS AT FUNERALS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ron Bigelow

Senate Sponsor: Jon J. Greiner

LONG TITLE

General Description:

This bill provides a criminal penalty for certain activities done with the intent to disrupt a funeral or memorial service.

Highlighted Provisions:

This bill:

- ▶ provides definitions; and
- ▶ provides that it is a class B misdemeanor for a person to do any of the following

during the period starting 60 minutes before a memorial service and ending 60 minutes after conclusion of the memorial service with intent to disrupt the memorial service:

- knowingly block or impede entry to or from the memorial service;
- block or impede a funeral procession;
- engage in certain disruptive activities within 200 feet of a memorial service; or
- engage in unreasonable noise.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:



28 **76-9-108**, Utah Code Annotated 1953



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **76-9-108** is enacted to read:

32 **76-9-108. Disrupting a funeral or memorial service.**

33 (1) As used in this section:

34 (a) "Funeral procession" means a procession of two or more motor vehicles where:

35 (i) the operators of the vehicles identify themselves as being part of the procession by
36 having the lamps or lights of the vehicle on and by keeping in close formation with the other
37 vehicles in the procession;

38 (ii) at least one vehicle contains the body or remains of a deceased person being
39 memorialized; and

40 (iii) the vehicles are going to or from a memorial service.

41 (b) "Memorial service" means a wake, funeral, graveside service, burial, or other
42 ceremony or rite held in connection with the burial or cremation of an individual.

43 (c) "Memorial site" means a church, synagogue, mosque, funeral home, mortuary,
44 cemetery, grave site, mausoleum, or other place at which a memorial service is conducted.

45 (d) "Disruptive activity" means:

46 (i) a loud or disruptive oration or speech that is not part of the memorial service;

47 (ii) the display of a placard, banner, poster, flag, or other item that is not part of the
48 memorial service; or

49 (iii) the distribution of any handbill, pamphlet, leaflet, or other written material or other
50 item that is not part of the memorial service.

51 (2) A person is guilty of a class B misdemeanor if the person, with intent to disrupt the
52 memorial service, does any of the following during the period beginning 60 minutes
53 immediately before the scheduled commencement of a memorial service and ending 60
54 minutes after the conclusion of a memorial service:

55 (a) obstructs, hinders, impedes, or blocks another person's entry to or exit from the
56 memorial site;

57 (b) obstructs, hinders, impedes, or blocks a funeral procession;

58 (c) makes unreasonable noise; or

59

(d) engages in a disruptive activity within 200 feet of the memorial service.

Legislative Review Note
as of 11-28-06 12:37 PM

Office of Legislative Research and General Counsel

H.B. 205 - Public Demonstrations At Funerals

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

12/28/2006, 2:35:56 PM, Lead Analyst: Byrne, D.

Office of the Legislative Fiscal Analyst