HOUSE BILL No. 5893

March 21, 2006, Introduced by Rep. Jones and referred to the Committee on Veterans Affairs and Homeland Security.

A bill to amend 1931 PA 328, entitled

"The Michigan penal code,"

by amending section 168 (MCL 750.168) and by adding section 167d.

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 IN

5   THE HOUR IMMEDIATELY BEFORE, OR DURING, OR IN THE 2 HOURS

6   IMMEDIATELY FOLLOWING:

7   (A) MAKE ANY STATEMENT TO OR GESTURE AT A PERSON ATTENDING OR

8   INVOLVED IN THE FUNERAL, MEMORIAL SERVICE, OR VIEWING OF THE

9   DECEASED PERSON, IN THE FUNERAL PROCESSION, OR AT THE BURIAL THAT

10 WOULD MAKE THE PERSON UNDER THE CIRCUMSTANCES TO REASONABLY FEEL

1 **INTIMIDATED, THREATENED, OR HARASSED.**

2 **(B) ENGAGE IN ANY OTHER CONDUCT THAT THE PERSON KNOWS OR**

3 **SHOULD REASONABLY KNOW WILL DISTURB, DISRUPT, OR ADVERSELY AFFECT**

4 **THE FUNERAL, MEMORIAL SERVICE, VIEWING OF THE DECEASED PERSON,**

5 **FUNERAL PROCESSION, OR BURIAL.**

6 **(2) A PERSON WHO VIOLATES SUBSECTION (1) IS A DISORDERLY**

7 **PERSON AND IS GUILTY OF A MISDEMEANOR.**

8 Sec. 168. **(1)** ~~Any~~ **EXCEPT AS PROVIDED IN SUBSECTION (2), A**

9 person convicted of being a disorderly person ~~shall be~~ **IS** guilty

10 of a misdemeanor **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90**

11 **DAYS OR A FINE OF NOT MORE THAN $500.00, OR BOTH.**

12 **(2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER**

13 **SECTION 167D IS GUILTY OF A FELONY PUNISHABLE AS FOLLOWS:**

14 **(A) EXCEPT AS PROVIDED IN SUBDIVISION (B), BY IMPRISONMENT FOR**

15 **NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN $5,000.00, OR**

16 **BOTH.**

17 **(B) IF THE PERSON WAS PREVIOUSLY CONVICTED OF VIOLATING**

18 **SECTION 167D, BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE**

19 **OF NOT MORE THAN $10,000.00, OR BOTH.**