- 1 HB171
- 2 126782-4
- 3 By Representative Bridges
- 4 RFD: Judiciary
- 5 First Read: 08-MAR-11

1	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	To amend Section 13A-11-17 of the Code of Alabama
9	1975, providing the offense of disrupting a funeral or
10	memorial service, to increase the distance within which a
11	protest is prohibited subject to existing penalties; and in
12	connection therewith would have as its purpose or effect the
13	requirement of a new or increased expenditure of local funds
14	within the meaning of Amendment 621 of the Constitution of
15	Alabama of 1901, now appearing as Section 111.05 of the
16	Official Recompilation of the Constitution of Alabama of 1901,
17	as amended.
18	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
19	Section 1. Section 13A-11-17 of the Code of Alabama
20	1975, is amended to read as follows:
21	"\$13A-11-17.
22	"(a) A person commits the crime of disrupting a
23	funeral or memorial service if, during the 60 minutes
24	immediately preceding a funeral or memorial service that has a
25	scheduled starting time, during the funeral or memorial
26	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 amplification device, that involves singing, chanting, whistling, yelling, or honking a motor vehicle horn within 500 1,000 feet of the entrance to property line of entrance to a facility being used for a funeral or memorial service.
- "(2) Blocks access to a facility being used for the service.
 - "(3) Impedes vehicles that he or she knows are part of the procession.
 - "(b) For purposes of this section, the term

 "facility" includes a funeral home, church, or cemetery in

 which the funeral or memorial service takes place.
 - "(c) A violation of subsection (a) is a Class A misdemeanor for the first conviction and a Class C felony for each subsequent conviction."

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

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

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Judiciary 08-MAR-11
8 9 10	Read for the second time and placed on the calendar 1 amendment 06-APR-11
11 12 13	Read for the third time and passed as amended
14 15 16	Greg Pappas Clerk