

SENATE BILL No. 1228

April 25, 2006, Introduced by Senators TOY and GILBERT and referred to the Committee on Senior Citizens and Veterans Affairs.

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:

5 (A) MAKE LOUD AND RAUCOUS NOISE AND CONTINUE TO DO SO AFTER
6 BEING ASKED TO STOP.

7 (B) MAKE ANY STATEMENT OR GESTURE THAT WOULD MAKE A REASONABLE
8 PERSON UNDER THE CIRCUMSTANCES FEEL INTIMIDATED, THREATENED, OR
9 HARASSED.

10 (C) ENGAGE IN ANY OTHER CONDUCT THAT THE PERSON KNOWS OR

1 SHOULD REASONABLY KNOW WILL DISTURB, DISRUPT, OR ADVERSELY AFFECT
2 THE FUNERAL, MEMORIAL SERVICE, VIEWING OF THE DECEASED PERSON,
3 FUNERAL PROCESSION, OR BURIAL.

4 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS A DISORDERLY
5 PERSON AND IS GUILTY OF A FELONY PUNISHABLE AS PROVIDED UNDER
6 SECTION 168.

7 Sec. 168. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A
8 person convicted of being a disorderly person ~~shall be~~ IS guilty
9 of a misdemeanor PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
10 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

11 (2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER
12 SECTION 167D IS GUILTY OF A FELONY PUNISHABLE AS FOLLOWS:

13 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), BY IMPRISONMENT FOR
14 NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR
15 BOTH.

16 (B) IF THE PERSON WAS PREVIOUSLY CONVICTED OF VIOLATING
17 SECTION 167D, BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE
18 OF NOT MORE THAN \$10,000.00, OR BOTH.