

The House Committee on Judiciary Non-civil offers the following substitute to SB 606:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
2 relating to offenses against public order and safety, so as to prohibit disruptive conduct at
3 funerals or memorial services; to provide for legislative intent; to provide for the elements
4 of such offense; to provide for a criminal penalty; to provide for an effective date; to provide
5 for applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
9 offenses against public order and safety, is amended by adding a new Code Section
10 16-11-34.2 to read as follows:

11 "16-11-34.2.

12 (a) The General Assembly declares that the interest of persons in planning, participating
13 in, and attending a funeral or memorial service for a deceased relative or loved one without
14 unwanted impediment, disruption, disturbance, or interference is a substantial interest and
15 the General Assembly further recognizes the need to impose content neutral time, place,
16 and manner restrictions on unwanted acts carried out with the intent to impede, disrupt,
17 disturb, or interfere with such funeral or memorial service.

18 (b) It shall be unlawful to engage in any disorderly or disruptive conduct with the intent
19 to impede, disrupt, disturb, or interfere with the orderly conduct of any funeral or
20 memorial service or with the normal activities and functions carried on in the facilities or
21 buildings where such funeral or memorial service is taking place. Any or all of the
22 following shall constitute such disorderly or disruptive conduct:

23 (1) Displaying any visual images that convey fighting words or actual or imminent
24 threats of harm directed to any person or property associated with said funeral or
25 memorial service within 500 feet of the ceremonial site or location being used for the

- 1 funeral or memorial service at any time one hour prior to, during, or one hour after the
2 posted time for said funeral or memorial service;
- 3 (2) Uttering loud, threatening, or abusive language or singing, chanting, whistling, or
4 yelling with or without noise amplification including, but not limited to, bullhorns,
5 automobile horns, and microphones, such as would tend to impede, disrupt, disturb, or
6 interfere with a funeral or memorial service within 500 feet of the ceremonial site or
7 location being used for the funeral or memorial service;
- 8 (3) Attempting to block or blocking pedestrian or vehicular access to the ceremonial site
9 or location being used for a funeral or memorial service at any time one hour prior to,
10 during, or one hour after the posted time for said funeral or memorial service; or
- 11 (4) Conducting a public assembly, parade, demonstration, or other like event, either fixed
12 or processional, within 500 feet of the ceremonial site or location being used for a
13 funeral or memorial service at any time one hour prior to, during, or one hour after the
14 posted time for said funeral or memorial service.
- 15 (c) Any person who violates any provision of subsection (b) of this Code section shall be
16 guilty of a misdemeanor."

17 **SECTION 2.**

18 This Act shall become effective on July 1, 2006, and shall apply to all offenses committed
19 on or after such date.

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.