

HOUSE BILL No. 5887

March 16, 2006, Introduced by Reps. Emmons, Elsenheimer, Garfield, LaJoy, Palsrok, Green, Farhat, Shaffer, Sak, Jones, Casperson, Gosselin, Hoogendyk, Ward, Hildenbrand, Taub, Baxter, Farrah, Anderson, Pavlov, Schuitmaker, Marleau, Rocca, Stahl, Meisner, Gaffney, Hune, Lipsey, Sheltroun, Hopgood, Zelenko, Mortimer, Nitz, Acciavatti, Ball, Drolet, Palmer, Robertson, Clack, Angerer, Brandenburg, Newell, Stewart, Nofs, Meyer, Moore, Walker, Van Regenmorter, Wenke, Kahn, David Law, Pearce, Hansen, Proos, Amos, Pastor, Moolenaar, Sheen, Stakoe, Huizenga, Gleason, Bieda and Caswell 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:

**SEC. 167D. (1) A PERSON SHALL NOT DO ANY OF THE FOLLOWING
WITHIN 500 FEET OF A BUILDING OR OTHER LOCATION WHERE A FUNERAL,
MEMORIAL SERVICE, OR VIEWING OF A DECEASED PERSON IS BEING
CONDUCTED OR WITHIN 500 FEET OF A FUNERAL PROCESSION OR BURIAL:**

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

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

1 (C) ENGAGE IN ANY OTHER CONDUCT THAT THE PERSON KNOWS OR
2 SHOULD REASONABLY KNOW WILL DISTURB, DISRUPT, OR ADVERSELY AFFECT
3 THE FUNERAL, MEMORIAL SERVICE, VIEWING OF THE DECEASED PERSON,
4 FUNERAL PROCESSION, OR BURIAL.

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

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.