

Legislative Analysis



INCREASE PENALTY FOR DISRUPTING A RELIGIOUS ASSEMBLY

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Senate Bill 19 as introduced
Sponsor: Sen. Rick Jones
House Committee: Judiciary
Senate Committee: Judiciary

Complete to 3-2-11

A SUMMARY OF SENATE BILL 19 AS PASSED BY THE SENATE 2-9-11

The bill would prohibit the willful disruption of certain religious gatherings held inside a building, prohibit blocking people from going in or coming out of those gatherings, increase the penalty for a violation, allow a court to require community service for a violation, and provide an enhanced penalty for a second or subsequent violation.

The Michigan Penal Code makes it a misdemeanor to willfully interrupt or disturb "any assembly of people met for the worship of God." It has no specific penalty, meaning that the general misdemeanor penalty applies of not more than 90 days' imprisonment and/or a fine of up to \$500. (See MCL 750.504)

Senate Bill 19 would amend the provision so as to prohibit a person from willfully interrupting or disturbing any assembly of people meeting for religious purposes within a building that is used for religious purposes and clearly identified as such by a posted sign or other means, whether the disturbance itself was within the building or outside of it. In addition, the bill would prohibit a person from willfully and physically obstructing any individual's entry into the building with intent to deny that individual access to the assembly or obstruct the individual from leaving the building.

The penalty for a violation would be a misdemeanor punishable by imprisonment for not more than 93 days, a fine of not more than \$1,000, and/or not more than 100 hours of community service. A second or subsequent violation would also be a misdemeanor with the same maximum term of imprisonment, a fine of not more than \$5,000, and/or not more than 200 hours of community service.

Extending the penalty to 93 days makes the offense subject to fingerprinting requirements, meaning that an offender's fingerprints would be forwarded to the State Police and FBI for a check of the state and national fingerprint databases.

The bill would take effect 90 days after enactment.

MCL 750.169

FISCAL IMPACT:

The bill increases the maximum sentence for imprisonment for violations from 90 days to 93 days. Given the small increase, the bill is unlikely to have any significant effect on incarceration costs incurred by local units of government.

Senate Bill 19 would have an indeterminate fiscal impact on the local trial courts. Any fiscal impact would be dependent upon the number of actions filed under the provisions of the bill. Any fines levied under the provisions of the bill would go to the support of local libraries in this state.

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