



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5560 (as reported without amendment)
Sponsor: Representative Deb Shaughnessy
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to revise the prohibition against disturbing religious meetings and to prescribe criminal penalties for first and subsequent violations.

Under the Code, a person who willfully interrupts or disturbs any assembly of people for the worship of God, either within the place of the meeting or outside of it, is guilty of a misdemeanor. The bill would delete that provision and instead prohibit a person from doing any of the following on any private property where the person knew people were meeting or intending to meet in the pursuit of their free exercise of religion:

- Entering or attempting to enter, with the intent to disrupt the meeting.
- Remaining or attempting to remain, after being instructed to leave, with the intent to disrupt the meeting.
- Intentionally obstructing or attempting to obstruct the entrance or exit, with the intent to disrupt or prevent the meeting.

The Code does not specify a penalty for a violation of the current prohibition (which makes it punishable by up to 90 days' imprisonment and/or a maximum fine of \$500, under the Code's penalty for misdemeanors for which no punishment is prescribed). A person who violated the bill would be guilty of a misdemeanor punishable up to 93 days' imprisonment, a maximum fine of \$1,000, and/or up to 100 hours of community service. If the person had previously been convicted of this offense, the violation would be punishable by up to 93 days' imprisonment, a maximum fine of \$5,000, and/or up to 200 hours of community service.

The bill would take effect on September 1, 2012.

MCL 750.169

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would add specificity to the language prohibiting the disturbance of religious meetings; however, the bill would not create a new misdemeanor as this action is already a misdemeanor under current law. Therefore, the bill would have negligible fiscal impact. The bill also would increase potential fines for offenders; this potential revenue would benefit public libraries.

Date Completed: 6-13-12

Fiscal Analyst: Dan O'Connor