

1 State of Arkansas As Engrossed: H1/27/11 H2/1/11 H2/3/11 H2/14/11 H2/16/11

2 88th General Assembly

A Bill

3 Regular Session, 2011

HOUSE BILL 1207

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5 By: Representatives Stewart, Hammer, T. Thompson, J. Edwards

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For An Act To Be Entitled

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AN ACT TO AMEND THE DISTANCE FROM WHICH A PERSON CAN
9 PROTEST A FUNERAL; AND FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE DISTANCE FROM WHICH A PERSON
14 CAN PROTEST A FUNERAL.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. Arkansas Code § 5-71-230 is amended to read as follows:

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5-71-230. Violation of the protection of peace for mourning at a

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funeral.

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(a) As used in this section:

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(1)(A) "Funeral" means a ceremony or memorial service held in

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connection with the burial or cremation of a person who has died in which the

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family of the deceased has a personal stake in memorializing and honoring the

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deceased and the desire to be able to mourn in peace during the ceremony or

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memorial service.

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(B) "Funeral" does not include a procession related to the

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funeral; and

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(2) "Picket" means to engage in the activity of protesting or

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demonstrating to target a funeral without authorization from the family of

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the deceased.

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(b) A person commits the offense of violation of the protection of

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peace for mourning at a funeral if the person:

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(1) Knowingly pickets a funeral;

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(2) Intends to interfere with the funeral; and



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(3) *Pickets:*

(A) *Within ~~one hundred fifty feet (150')~~ three hundred feet (300') of any ingress or egress of the funeral; and*

(B) *Either:*

(i) *During the funeral;*

(ii) *Within thirty (30) minutes immediately before the scheduled commencement of the funeral; or*

(iii) *Within thirty (30) minutes immediately following the completion of the funeral.*

(c)(1) *Violation of the protection of the peace for mourning at a funeral is a Class C misdemeanor.*

(2) *A person commits a separate offense for each funeral that the person pickets in violation of this section.*

/s/Stewart