

Stricken language would be deleted from and underlined language would be added to present law.

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

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(a), regarding the definition of
20 "funeral", is amended to read as follows:*

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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
23 connection with the burial or cremation of a person who has died in which
24 funeral attendees have a personal stake in memorializing and honoring the
25 dead and desire to be able to mourn in peace during the ceremony or memorial
26 service.*

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*(B) "Funeral" does not include a procession related to the
28 funeral on the roads, streets, sidewalks, or other public places that are
29 beyond the distance limit as described in subdivision (b)(3)(A) of this
30 section; and*

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*(2) "Picket" means to engage in the activity of protesting or
32 demonstrating to target a funeral."*

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*SECTION 2. Arkansas Code § 5-71-230(b), regarding the distance from
35 which a person may protest a funeral, is amended to read as follows:*

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



1 peace for mourning at a funeral if the person:

2 (1) Knowingly pickets a funeral;

3 (2) Intends to interfere with the funeral; and

4 (3) Pickets:

5 (A) Within ~~one hundred fifty feet (150')~~ three hundred
6 feet (300') of the funeral; and

7 (B) Either:

8 (i) During the funeral;

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

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

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14 *SECTION 3. Arkansas Code § 5-71-230(c), regarding the penalty for violating*
15 *the protection of the peace for mourning at a funeral, is amended to read as*
16 *follows:*

17 *(c) If available, a law enforcement agency may provide any protester*
18 *with assistance in locating a protest site that would comply with this*
19 *section.*

20 ~~*(e)(1)(d)(1)*~~ *Violation of the protection of the peace for mourning at*
21 *a funeral is a Class C misdemeanor.*

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

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25 /s/Stewart

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