



Filed: 4/5/2006

09400SB1144sam002

LRB094 04838 RLC 58039 a

1 AMENDMENT TO SENATE BILL 1144

2 AMENDMENT NO. _____. Amend Senate Bill 1144 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 26-6 as follows:

6 (720 ILCS 5/26-6 new)

7 Sec. 26-6. Disorderly conduct at a funeral or memorial
8 service.

9 (a) The General Assembly finds and declares that due to the
10 unique nature of funeral and memorial services and the
11 heightened opportunity for extreme emotional distress on such
12 occasions, the purpose of this Section is to protect the
13 privacy and ability to mourn of grieving families directly
14 before, during, and after a funeral or memorial service.

15 (b) For purposes of this Section:

16 (1) "Funeral" means the ceremonies, rituals,
17 processions, and memorial services held at a funeral site
18 in connection with the burial, cremation, or memorial of a
19 deceased person.

20 (2) "Funeral site" means a church, synagogue, mosque,
21 funeral home, mortuary, cemetery, gravesite, mausoleum, or
22 other place at which a funeral is conducted or is scheduled
23 to be conducted within the next 30 minutes or has been
24 conducted within the last 30 minutes.

1 (c) A person commits the offense of disorderly conduct at a
2 funeral or memorial service when he or she:

3 (1) engages, with knowledge of the existence of a
4 funeral site, in any loud singing, playing of music,
5 chanting, whistling, yelling, or noisemaking with, or
6 without, noise amplification including, but not limited
7 to, bullhorns, auto horns, and microphones within 200 feet
8 of any ingress or egress of that funeral site, where the
9 volume of such singing, music, chanting, whistling,
10 yelling, or noisemaking is likely to be audible at and
11 disturbing to the funeral site;

12 (2) displays, with knowledge of the existence of a
13 funeral site and within 200 feet of any ingress or egress
14 of that funeral site, any visual images that convey
15 fighting words or actual or veiled threats against any
16 other person; or

17 (3) with knowledge of the existence of a funeral site,
18 knowingly obstructs, hinders, impedes, or blocks another
19 person's entry to or exit from that funeral site or a
20 facility containing that funeral site, except that the
21 owner or occupant of property may take lawful actions to
22 exclude others from that property.

23 (d) Disorderly conduct at a funeral or memorial service is
24 a Class C misdemeanor. A second or subsequent violation is a
25 Class 4 felony.

26 (e) If any clause, sentence, section, provision, or part of
27 this Section or the application thereof to any person or
28 circumstance is adjudged to be unconstitutional, the remainder
29 of this Section or its application to persons or circumstances
30 other than those to which it is held invalid, is not affected
31 thereby.

32 Section 99. Effective date. This Act takes effect upon
33 becoming law."