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SENATE BILL NO. 434

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-415.1, relating to disruption of a funeral or memorial service; penalty.*

Patrons—Puller; Delegate: Torian

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-415.1 as follows:

§ 18.2-415.1. Disruption of a funeral or memorial service.

A. It shall be unlawful for any person to disrupt a funeral or memorial service during the 60 minutes immediately preceding the scheduled starting time of the funeral or memorial service, during the funeral or memorial service, or immediately following the funeral or memorial service, with the intention to disrupt the funeral or memorial service.

For the purpose of this section:

"Disrupt" means:

1. Maliciously or willfully disturbing the peace or sanctity of a funeral or memorial service with loud or unusual levels of noise or by tumultuous or offensive conduct;

2. Engaging in a protest, including protesting with or without using an electric sound amplification device, that involves singing, chanting, whistling, yelling, or honking of a motor vehicle horn within 500 feet of the entrance to a facility being used for a funeral or memorial service; or

3. Blocking access to a facility being used for the funeral or memorial service or impeding vehicles that the protestor knows to be part of the funeral procession.

"Facility" means the property line of the funeral home, synagogue, mosque, mortuary, grave site, church, or cemetery in which the funeral or memorial service is being conducted.

B. A person who violates subsection A is guilty of a Class 2 misdemeanor for the first offense and a Class 1 misdemeanor for any subsequent offense.

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