

Senate Bill 591

By: Senators Gooch of the 51st, Anavitarte of the 31st, Walker III of the 20th, Summers of the 13th, Echols of the 49th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
2 relating to offenses against public order, so as to prohibit the disruption of a religious service;
3 to provide for enhanced penalties; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
8 offenses against public order, is amended by revising Code Section 16-11-34.2, relating to
9 disorderly or disruptive conduct at any funeral or memorial service, as follows:

10 "16-11-34.2.

11 (a) As used in this Code section, the term 'religious service' means any public assembly
12 of persons for worship, religious observance, or other religious purpose.

13 (a)(b) The General Assembly declares that the interest of persons in planning, participating
14 in, and attending a religious service, or a funeral or memorial service for a deceased
15 relative or loved one, without unwanted impediment, disruption, disturbance, or
16 interference is a substantial interest and the General Assembly further recognizes the need

to impose content neutral time, place, and manner restrictions on unwanted acts carried out with the intent to impede, disrupt, disturb, or interfere with such religious service, funeral, or memorial service.

(b)(c) It shall be unlawful to engage in any disorderly or disruptive conduct with the intent to impede, disrupt, disturb, or interfere with the orderly conduct of any religious service, funeral, or memorial service, or with the normal activities and functions carried on in the facilities, ~~or buildings, or other locations, both inside and outside,~~ where such religious service, funeral, or memorial service is taking place. Any or all of the following shall constitute such disorderly or disruptive conduct:

(1) Displaying any visual images that convey fighting words or actual or imminent threats of harm directed to any person or property associated with ~~said~~ a religious service, funeral, or memorial service, within 500 feet of the ~~ceremonial site or location~~ facilities, buildings, or other locations being used for the religious service, funeral, or memorial service at any time one hour prior to, during, or one hour after the posted time for ~~said~~ such religious service, funeral, or memorial service;

(2) Uttering loud, threatening, or abusive language or singing, chanting, whistling, or yelling with or without noise amplification, including, but not limited to, bullhorns, automobile horns, and microphones, such as would tend to impede, disrupt, disturb, or interfere with a religious service, funeral, or memorial service, within 500 feet of the ~~ceremonial site or location~~ facilities, buildings, or other locations being used for ~~the~~ such religious service, funeral, or memorial service;

(3) Attempting to block or blocking pedestrian or vehicular access to the ~~ceremonial site or location~~ facilities, buildings, or other locations being used for a religious service, funeral, or memorial service at any time one hour prior to, during, or one hour after the posted time for ~~said~~ such religious service, funeral, or memorial service; or

(4) Conducting a public assembly, parade, demonstration, or other like event, either fixed or processional, within 500 feet of the ~~ceremonial site or location~~ facilities, buildings, or

44 other locations being used for a religious service, funeral, or memorial service at any time
45 one hour prior to, during, or one hour after the posted time for ~~said~~ such religious service,
46 funeral, or memorial service.
47 ~~(e)~~(d) Any person who violates any provision of subsection ~~(b)~~ (c) of this Code section
48 shall be guilty of a misdemeanor; provided, however, that if such person engages in
49 disorderly or disruptive conduct at a funeral or memorial service of an individual receiving
50 military funeral honors, such person shall be guilty of an aggravated misdemeanor."

51 **SECTION 2.**

52 All laws and parts of laws in conflict with this Act are repealed.