



Rep. Jerry F. Costello, II

Adopted in House Comm. on Feb 07, 2012

09700HB3802ham001

LRB097 12814 RLC 63058 a

1 AMENDMENT TO HOUSE BILL 3802

2 AMENDMENT NO. _____. Amend House Bill 3802 by replacing
3 everything after the enacting clause with the following:

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

6 (720 ILCS 5/26-6)

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,

1 processions, and memorial services held at a funeral site
2 in connection with the burial, cremation, or memorial of a
3 deceased person.

4 (2) "Funeral site" means a church, synagogue, mosque,
5 funeral home, mortuary, cemetery, gravesite, mausoleum, or
6 other place at which a funeral is conducted or is scheduled
7 to be conducted within the next hour ~~30 minutes~~ or has been
8 conducted within the last hour ~~30 minutes~~.

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

11 (1) engages, with knowledge of the existence of a
12 funeral site, in any loud singing, playing of music,
13 chanting, whistling, yelling, or noisemaking with, or
14 without, noise amplification including, but not limited
15 to, bullhorns, auto horns, and microphones within 1,000 ~~300~~
16 feet of any ingress or egress of that funeral site, where
17 the volume of such singing, music, chanting, whistling,
18 yelling, or noisemaking is likely to be audible at and
19 disturbing to the funeral site;

20 (2) displays, with knowledge of the existence of a
21 funeral site and within 1,000 ~~300~~ feet of any ingress or
22 egress of that funeral site, any visual images that convey
23 fighting words or actual or veiled threats against any
24 other person; or

25 (3) with knowledge of the existence of a funeral site,
26 knowingly obstructs, hinders, impedes, or blocks another

1 person's entry to or exit from that funeral site or a
2 facility containing that funeral site, except that the
3 owner or occupant of property may take lawful actions to
4 exclude others from that property.

5 (d) Disorderly conduct at a funeral or memorial service is
6 a Class C misdemeanor. A second or subsequent violation is a
7 Class 4 felony.

8 (e) If any clause, sentence, section, provision, or part of
9 this Section or the application thereof to any person or
10 circumstance is adjudged to be unconstitutional, the remainder
11 of this Section or its application to persons or circumstances
12 other than those to which it is held invalid, is not affected
13 thereby.

14 (Source: P.A. 97-359, eff. 8-15-11.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.".