

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1372 Session of
2006

INTRODUCED BY FONTANA, PIPPY, RAFFERTY, COSTA, STOUT, PUNT,
WASHINGTON, PILEGGI, ORIE, D. WHITE, MUSTO, BROWNE, LOGAN,
ARMSTRONG, WAUGH, GREENLEAF AND REGOLA, OCTOBER 25, 2006

REFERRED TO JUDICIARY, OCTOBER 25, 2006

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for offense of
3 demonstrating at a commemorative service.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 7517 of Title 18 of the Pennsylvania
7 Consolidated Statutes, added June 30, 2006 (P.L.288, No.63), is
8 amended to read:

9 § 7517. Commemorative service demonstration activities.

10 (a) Legislative intent.--The General Assembly finds and
11 declares that:

12 (1) Families have a substantial interest in organizing
13 and attending commemorative services for deceased relatives.

14 (2) The interests of families in privately and
15 peacefully mourning the loss of deceased relatives are
16 violated when commemorative services are targeted for
17 picketing and other public demonstrations.

18 (3) Picketing of commemorative services causes emotional

1 disturbance and distress to grieving families who participate
2 in commemorative services.

3 (4) Full opportunity exists under the terms and
4 provisions of this section for the exercise of freedom of
5 speech and other constitutional rights at times other than
6 within one hour prior to, during and one hour following the
7 commemorative services.

8 (b) Offense defined.--A person commits a misdemeanor of the
9 third degree if the person engages in demonstration activities
10 within 500 feet of any cemetery, mortuary, church or other
11 location being utilized for the purposes of a commemorative
12 service within one hour prior to, during and one hour following
13 the commemorative service.

14 (c) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection:

17 "Commemorative service." An event involving the gathering of
18 individuals who assemble:

19 (1) At a cemetery or other location during the burial,
20 funeral, ceremony or memorial service of a specific deceased
21 person to mourn or honor the deceased person or to pay
22 respect to the family of the deceased person.

23 (2) In a building during the viewing, visitation,
24 burial, funeral, ceremony or memorial service of a specific
25 deceased person to mourn or honor the deceased person or to
26 pay respect to the family of the deceased person.

27 (3) To participate in a procession to a cemetery,
28 building or other location in which a viewing, visitation,
29 burial, funeral, ceremony or memorial service of a specific
30 deceased person is to be conducted to mourn or honor the

1 deceased person or to pay respect to the family of the
2 deceased person.

3 (4) To participate in a ceremony or memorial service to
4 mourn or honor the deceased or to pay respect to the families
5 of the deceased.

6 "Demonstration activities." Any of the following:

7 (1) Any picketing or similar conduct.

8 (2) Any oration, speech or use of sound amplification
9 equipment or device or similar conduct that is not part of a
10 commemorative service.

11 (3) The display of any placard, sign, banner, flag or
12 similar device, unless such display is part of a
13 commemorative service.

14 (4) The distribution of any handbill, pamphlet, leaflet
15 or other written or printed matter, other than a program
16 distributed as part of a commemorative service.

17 Section 2. This act shall take effect in 60 days.