By the Committee on Criminal Justice; and Senators Benacquisto and Evers

591-01686-13   2013118c1

1   A bill to be entitled

2   An act relating to funerals and burials; creating s.

3   871.015, F.S.; providing definitions; prohibiting

4   engaging in protest activities within a specified

5   distance of the property line of the location of a

6   funeral or burial; providing an exception; providing

7   criminal penalties; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11   Section 1. Section 871.015, Florida Statutes, is created to

12 read:

13   871.015 Unlawful protests.—

14   (1) As used in this section, the term:

15   (a) "Funeral or burial" means a service or ceremony offered

16 or provided in connection with the final disposition,

17 memorialization, internment, entombment, or inurnment of human

18 remains or cremated human remains.

19   (b) "Funeral procession" has the same meaning as provided

20 in s. 316.1974.

21   (c) "Protest activities" means any action, including

22 picketing, which is undertaken with the intent to interrupt or

23 disturb a funeral or burial.

24   (2) A person may not knowingly engage in protest activities

25 or knowingly cause protest activities to occur within 500 feet

26 of the property line of a residence, cemetery, funeral home,

27 house of worship, or other location during or within 1 hour

28 before or 1 hour after the conducting of a funeral or burial at

29 that place. This subsection does not prohibit protest activities

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30 that occur adjacent to that portion of a funeral procession

31 which extends beyond 500 feet of the property line of the

32 location of the funeral or burial.

33   (3) A person who violates this section commits a

34 misdemeanor of the first degree, punishable as provided in s.

35 775.082 or s. 775.083.

36   Section 2. This act shall take effect October 1, 2013.