

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1833

Short Title: Military Funeral/Unlawful Protest. (Public)

Sponsors: Senators Jacumin; Albertson, Allran, Apodaca, Atwater, Berger of Rockingham, Brown, Cowell, Dorsett, Goodall, Hagan, Hartsell, Hoyle, Hunt, Lucas, Malone, Nesbitt, Pittenger, Presnell, Purcell, Smith, Soles, Tillman, Webster, and Weinstein.

Referred to: Rules and Operations of the Senate.

May 24, 2006

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT DISORDERLY CONDUCT AT A MILITARY FUNERAL OR MEMORIAL SERVICE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 35 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-277.5. Prohibit disorderly conduct at military funeral or memorial service.

(a) It is unlawful for a person to do any of the following within 300 feet of the building or other location where a military funeral or memorial service is being conducted, or within 300 hundred feet of a military funeral procession or burial:

(1) Make a loud and raucous noise that causes unreasonable distress to the persons attending the funeral or memorial service, or participating in the funeral procession.

(2) Direct abusive epithets or make any threatening gesture that the person knows or reasonably should know is likely to provoke a violent reaction by another.

(3) Disturb or disrupt the funeral, memorial service, funeral procession, or burial by conduct intended to disturb or disrupt the funeral, memorial service, funeral procession, or burial.

(b) This section applies to conduct within one hour preceding, during, and within one hour after a military funeral, memorial service, funeral procession, or burial. A person who commits a violation of this section is guilty of:

(1) A Class 2 misdemeanor for a first offense.

(2) A Class 1 misdemeanor for a second offense.

(3) A Class I felony for a third or subsequent offense."

1 **SECTION 2.** This act becomes effective December 1, 2006, and applies to
2 offenses committed on or after that date.