

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1026

93RD GENERAL ASSEMBLY

3558S.06T

2006

AN ACT

To repeal section 578.501, RSMo, and to enact in lieu thereof two new sections relating to protest activities near funeral services, with penalty provisions, an emergency clause, and a contingent effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 578.501, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 578.501 and 578.502, to read as follows:

578.501. 1. This section shall be known as "Spc. Edward Lee Myers' Law".
2. It shall be unlawful for any person to engage in picketing or other protest activities in front of or about any [church, cemetery, or funeral establishment, as defined by section 333.011, RSMo,] **location at which a funeral is held**, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral. Each day on which a violation occurs shall constitute a separate offense. Violation of this section is a class B misdemeanor, unless committed by a person who has previously pled guilty to or been found guilty of a violation of this section, in which case the violation is a class A misdemeanor.

3. For the purposes of this section, "funeral" means the ceremonies, processions and memorial services held in connection with the burial or cremation of the dead.

578.502. 1. This section shall be known as "Spc. Edward Lee Myers Law".

2. It shall be unlawful for any person to engage in picketing or other protest activities within three hundred feet of or about any location at which a funeral is held,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 **within one hour prior to the commencement of any funeral, and until one hour following**
5 **the cessation of any funeral. Each day on which a violation occurs shall constitute a**
6 **separate offense. Violation of this section is a class B misdemeanor, unless committed by**
7 **a person who has previously pled guilty to or been found guilty of a violation of this**
8 **section, in which case the violation is a class A misdemeanor.**

9 **3. For purposes of this section, "funeral" means the ceremonies, processions, and**
10 **memorial services held in connection with the burial or cremation of the dead.**

Section B. Because immediate action is necessary to protect the emotional well-being
2 of persons paying respects to the deceased, section 578.501 of this act is deemed necessary for
3 the immediate preservation of the public health, welfare, peace and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution, and section 578.501 of this act
5 shall be in full force and effect upon its passage and approval.

Section C. The enactment of section 578.502 shall become effective only on the date the
2 provisions of section 578.501 are finally declared void or unconstitutional by a court of
3 competent jurisdiction and upon notification by the attorney general to the revisor of statutes.

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