

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 1090
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Garagiola” and substitute “Senators Garagiola, Giannetti, Haines, and Jacobs”; in line 2, strike “Obstructing Access to or Expressing Fighting Words at”; in line 6, strike “at certain times” and substitute “under certain circumstances”; strike beginning with “speaking” in line 7 down through “procession” in line 9 and substitute “addressing certain speech to a person attending a funeral, burial, memorial service, or funeral procession that is likely to incite or produce an imminent breach of the peace; prohibiting certain picketing”; strike beginning with “defining” in line 9 down through “Act;” in line 10 and substitute “making the provisions of this Act severable;”; in line 11, strike “obstructing access to and expressing fighting words” and substitute “prohibiting certain speech likely to incite or produce an imminent breach of the peace and acts”; and in line 12, after “processions” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 18 through 25, inclusive.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 3 through 22, inclusive, and substitute:

“(A) (1) THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO CONDUCTS A FUNERAL, BURIAL, MEMORIAL SERVICE, OR FUNERAL PROCESSION.

(2) A PERSON MAY NOT KNOWINGLY OBSTRUCT, HINDER, IMPEDE, OR BLOCK ANOTHER PERSON’S ENTRY TO OR EXIT FROM A FUNERAL, BURIAL, MEMORIAL SERVICE, OR FUNERAL PROCESSION.

(B) A PERSON MAY NOT ADDRESS SPEECH TO A PERSON ATTENDING A FUNERAL, BURIAL, MEMORIAL SERVICE, OR FUNERAL PROCESSION THAT IS LIKELY

(Over)

TO INCITE OR PRODUCE AN IMMINENT BREACH OF THE PEACE.

(C) A PERSON MAY NOT ENGAGE IN PICKETING ACTIVITY WITHIN 100 FEET OF A FUNERAL, BURIAL, MEMORIAL SERVICE, OR FUNERAL PROCESSION THAT IS TARGETED AT ONE OR MORE PERSONS ATTENDING THE FUNERAL, BURIAL, MEMORIAL SERVICE, OR FUNERAL PROCESSION.”.

AMENDMENT NO. 4

On page 2, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”.

AMENDMENT NO. 5

On page 2, in line 26, strike “2.” substitute “3.”.