

## **BILL ANALYSIS**

Senate Research Center  
82R5132 NAJ-D

H.B. 718  
By: Fletcher et al. (Birdwell)  
Criminal Justice  
5/18/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 42.055 (Funeral Service Disruptions), Penal Code, prohibits an individual from picketing at a funeral service one hour before the service begins and to one hour after the service is completed. Often, services do not commence on time, especially when a soldier is laid to rest. H.B. 718 amends this section to change one hour to three hours before the funeral service and three hours after the funeral service has been completed. The purpose of the proposed legislation is to address disruptions before and after funeral services. Families have a substantial interest in attending funeral services for their loved ones, and that interest is violated when funerals are targeted for disruption, picketing, and other demonstrations.

H.B. 718 amends current law relating to the period in which a person commits the offense of funeral service disruption.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 42.055(b), Penal Code, to provide that a person commits an offense if, during the period beginning three hours, rather than one hour, before the funeral service begins and ending three hours, rather than one hour, after the service is completed, the person engages in picketing within 1,000 feet of a facility or cemetery being used for a funeral service.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.