

SENATE FILE 2103

BY BEALL, KREIMAN, STEWART, RAGAN,
MULDER, WARD, ZAUN, KIBBIE,
DANIELSON, DOTZLER, SENG,
HANCOCK, RIELLY, SCHOENJAHN,
WOOD, FRAISE, HORN, CONNOLLY,
and SHULL

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to disorderly conduct committed near a military
2 funeral, memorial service, funeral procession, or burial, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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JUDICIARY
SF 2103

1 Section 1. NEW SECTION. 723.5 DISORDERLY CONDUCT --
2 MILITARY FUNERAL OR MEMORIAL SERVICE.

3 1. A person shall not do any of the following within three
4 hundred feet of the building or other location where a
5 military funeral or memorial service is being conducted, or
6 within three hundred feet of a military funeral procession or
7 burial:

8 a. Make loud and raucous noise which causes unreasonable
9 distress to the persons attending the funeral or memorial
10 service, or participating in the funeral procession.

11 b. Direct abusive epithets or make any threatening gesture
12 which the person knows or reasonably should know is likely to
13 provoke a violent reaction by another.

14 c. Disturb or disrupt the funeral, memorial service,
15 funeral procession, or burial by conduct intended to disturb
16 or disrupt the funeral, memorial service, funeral procession,
17 or burial.

18 2. This section applies to conduct within thirty minutes
19 preceding, during, and within thirty minutes after a military
20 funeral, memorial service, funeral procession, or burial.

21 3. A person who commits a violation of this section
22 commits:

23 a. A simple misdemeanor for a first offense.

24 b. A serious misdemeanor for a second offense.

25 c. A class "D" felony for a third or subsequent offense.

26 EXPLANATION

27 This bill relates to committing disorderly conduct near a
28 military funeral, memorial service, funeral procession, or
29 burial.

30 The bill prohibits a person from making loud and raucous
31 noise, directing abusive epithets or making threatening
32 gestures, or disturbing or disrupting a military funeral,
33 memorial service, funeral procession, or burial.

34 The bill applies to conduct within 30 minutes preceding,
35 during, and 30 minutes after a military funeral, memorial

1 service, funeral procession, or burial.

2 Under the bill, a person commits a simple misdemeanor for a
3 first offense, a serious misdemeanor for a second offense, and
4 a class "D" felony for a third or subsequent offense.

5 A simple misdemeanor is punishable by confinement for no
6 more than 30 days or a fine of at least \$50 but not more than
7 \$500 or by both. A serious misdemeanor is punishable by
8 confinement for no more than one year and a fine of at least
9 \$250 but not more than \$1,500. A class "D" felony is
10 punishable by confinement for no more than five years and a
11 fine of at least \$750 but not more than \$7,500.

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