

1 **H. B. 3144**

2
3 (By Delegates Butcher, Paxton, Manchin, Stowers,
4 Hall, R. Phillips, L. Phillips, Longstreth,
5 Iaquina, Rodighiero and Perdue)

6 [Introduced February 15, 2011; referred to the
7 Committee on the Judiciary.]

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9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §61-8-15, relating to
12 creating a criminal offense and adding misdemeanor criminal
13 penalties for picketing or disrupting funerals or memorial
14 services.

15 *Be it enacted by the Legislature of West Virginia:*

16 That the Code of West Virginia, 1931, as amended, be amended
17 by adding thereto a new section, designated §61-8-15, to read as
18 follows:

19 **ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND DECENCY.**

20 **§61-8-15. Picketing or disruptive activity during funerals**
21 **prohibited; misdemeanor criminal penalties.**

22 (a) Any person who recklessly, knowingly or intentionally:

23 (1) Sings, chants, whistles, shouts, yells, uses a bullhorn,
24 auto horn or sound amplification equipment; or

1 (2) Pickets, marches, or demonstrates; while being within five
2 hundred feet of any funeral or memorial service being conducted at
3 any cemetery, funeral home or other building or while being within
4 five hundred feet of any funeral procession, disturbs the peace of
5 those persons attending a funeral or memorial service, or funeral
6 procession, and who persists in such conduct after being requested
7 to desist by a law-enforcement officer acting in his or her lawful
8 capacity, is guilty of a misdemeanor and, upon conviction thereof,
9 shall be confined in jail for an indeterminate sentence of not more
10 than one year and fined not less than \$500 nor more than \$200.

11 (b) For the purposes of this section, "picket" means to post
12 oneself in a particular location while intending to demonstrate or
13 protest.

NOTE: The purpose of this bill is to create a criminal offense for picketing or disrupting funerals or memorial services.

This section is new; therefore, it has been completely underscored.