



Am. H.B. 484
126th General Assembly
(As Passed by the General Assembly)

- Reps.** Boccieri, McGregor, J., Raussen, Hood, Healy, Wagoner, Seitz, Hughes, Widener, Chandler, Stewart, D., Carano, Harwood, Reinhard, Flowers, Carmichael, Sykes, Buehrer, Allen, Aslanides, Barrett, Beatty, Blasdel, Blessing, Book, Brown, Bulp, Calvert, Cassell, Coley, Collier, Combs, Core, Daniels, DeBose, DeGeeter, Distel, Dolan, Domenick, Driehaus, Evans, C., Evans, D., Faber, Fende, Garrison, Gibbs, Gilb, Hagan, Hartnett, Hoops, Key, Kilbane, Koziura, Latta, Law, Martin, Mason, Mitchell, Oelslager, Otterman, Patton, S., Patton, T., Perry, Peterson, Redfern, Reed, Reidelbach, Sayre, Schaffer, Schlichter, Schneider, Setzer, Skindell, Smith, G., Smith, S., Stewart, J., Strahorn, Taylor, Uecker, Wagner, Webster, White, Widowfield, Willamowski, Williams, Wolpert, Yuko
- Sens.** Cates, Grendell, Mumper, Niehaus, Schuring, Fedor, Kearney, Armbruster, Austria, Carey, Clancy, Coughlin, Fingerhut, Gardner, Goodman, Harris, Jacobson, Jordan, Miller, R., Padgett, Roberts, Schuler, Spada, Stivers, Wachtmann, Wilson, Zurz

Effective date: September 4, 2006

ACT SUMMARY

- Prohibits picketing or other protest activities within 300 feet (1) of the site of a funeral or burial service during, within one hour before, and within one hour after the service and (2) of a funeral procession.

CONTENT AND OPERATION

Continuing and former law

Continuing law states that every citizen may freely speak, write, and publish his or her sentiments on all subjects, being responsible for the abuse of the right. But, despite that freedom, former law prohibited any person from *picketing*, and any association or corporation from causing to be picketed (1) any residence, cemetery, funeral home, church, synagogue, or other establishment *within one hour before or during* the conducting of any actual funeral or burial service at that

place and (2) any funeral procession. (R.C. 3767.30.) An association that violated either of these prohibitions was guilty of a misdemeanor of the fourth degree, and a natural person who did so was guilty of a misdemeanor of the third degree (R.C. 3767.99(B) and (C)--not in the act).¹

Changes proposed by the act

The act continues, as noted above, the statement that every citizen may freely speak, write, and publish sentiments on all subjects, being responsible for the abuse of the right. But, despite that freedom, it modifies former law's two picketing-related prohibitions by instead prohibiting any person from picketing *or engaging in other protest activities*, and any association or corporation from causing picketing *or other protest activities* to occur, *within 300 feet* (1) of any residence, cemetery, funeral home, church, synagogue, or other establishment within one hour before, *within one hour after, or during* the conducting of any actual funeral or burial service at that place and (2) of any funeral procession. The act defines "other protest activities" as any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service or a funeral procession. (R.C. 3767.30.)

An association that violates either of the revised prohibitions is guilty of a misdemeanor of the fourth degree, and a natural person who does so is guilty of a misdemeanor of the third degree (R.C. 3767.99(B) and (C)--not in the act).²

HISTORY

ACTION	DATE
Introduced	01-24-06
Reported, H. State Government	05-10-06
Passed House (94-0)	05-10-06
Reported, S. State & Local Gov't & Veterans Affairs	05-18-06
Passed Senate (33-0)	05-23-06
House concurred in Senate amendments (95-0)	05-25-06

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¹ A penalty was not specified for a violation by a corporation of either former prohibition in R.C. 3767.30.

² There would be no penalty under the act for a corporation that violates either of the revised prohibitions in R.C. 3767.30.