

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1040

Introduced by

Representatives Grande, DeKrey, Klein, Metcalf

Senators Dever, Lyson

1 A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota
2 Century Code, relating to disorderly conduct at a funeral; to provide a penalty; and to declare
3 an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 12.1-31 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Disorderly conduct at a funeral - Penalty.**

8 1. For purposes of this section:

9 a. "Funeral" means the ceremonies, rituals, processions, and memorial services
10 held at a funeral site in connection with the burial, cremation, or memorial of a
11 deceased individual.

12 b. "Funeral site" means a church, synagogue, mosque, funeral home, mortuary,
13 cemetery, gravesite, mausoleum, or other place at which a funeral is
14 conducted or is scheduled to be conducted within the next hour or has been
15 conducted within the last hour.

16 2. An individual is guilty of disorderly conduct at a funeral if the individual:

17 a. Engages, with knowledge of the existence of a funeral site, in any loud
18 singing, playing of music, chanting, whistling, yelling, or noisemaking within
19 three hundred feet [91.44 meters] of any ingress or egress of that funeral site
20 if the volume of the singing, music, chanting, whistling, yelling, or
21 noisemaking is likely to be audible at and disturbing to the funeral site; or

22 b. Displays, with knowledge of the existence of a funeral site and within three
23 hundred feet [91.44 meters] of any ingress or egress of that funeral site, any

1 visual images that convey fighting words or actual or veiled threats against
2 any other individual.

3 3. Disorderly conduct at a funeral is a class B misdemeanor. A second or
4 subsequent violation of this section is a class A misdemeanor.

5 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.