

## **BILL ANALYSIS**

Senate Research Center

H.B. 1093  
By: Geren et al. (Harris)  
Criminal Justice  
5/17/2007  
Committee Report (Amended)

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

During the 79th Legislature, 3rd Called Session, 2005, H.B. 97 was enacted to address situations in which individuals disrupted the funerals of fallen soldiers. A radical activist group had launched a campaign claiming that the deaths of American soldiers in Iraq were divine punishment for a country that harbors homosexuals. The protests have occurred throughout Texas and across the country. Unfortunately, even after passage of this legislation, some radical activists continue to protest military funerals.

H.B. 1093 increases the distance barrier for individuals picketing a funeral from 500 feet to 1,000 feet.

### **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, by specifying that a person commits an offense by picketing within 1,000 feet, instead of 500 feet, of a facility or cemetery being used for a funeral service beginning one hour before the service and ending one hour after the service is completed.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.

### **SUMMARY OF COMMITTEE CHANGES**

Amends SECTION 3 of the bill (page 1 line 19) by striking "This Act takes effect September 1, 2007." and substituting "This act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007."