

House Bill No. 7127

An act relating to the disturbance of assemblies; amending s. 871.01, F.S.; providing a penalty for willfully interrupting or disturbing an assembly of people met for the purpose of acknowledging the death of an individual with a military funeral honors detail; reenacting s. 871.02, F.S., relating to indictments or informations for disturbing assembly, for the purpose of incorporating the amendment to s. 871.01, F.S., in a reference thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 871.01, Florida Statutes, is amended to read:

871.01 Disturbing schools and religious and other assemblies.—

(1) Whoever willfully interrupts or disturbs any school or any assembly of people met for the worship of God or for any lawful purpose commits ~~shall be guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Whoever willfully interrupts or disturbs any assembly of people met for the purpose of acknowledging the death of an individual with a military funeral honors detail pursuant to 10 U.S.C. s. 1491 commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. For the purpose of incorporating the amendment made by this act to section 871.01, Florida Statutes, in a reference thereto, section 871.02, Florida Statutes, is reenacted to read:

871.02 Indictments or informations for disturbing assembly.—The several grand juries of this state in their respective counties may return indictments or the several state attorneys of the state in their respective circuits may file information against all persons violating s. 871.01, and such indictments or informations, when filed with the clerk of the circuit court in the county where such offense is alleged to have been committed, shall be forthwith certified by the clerk to some court in the county having jurisdiction to try and determine such charge, and said court to which such indictment or information is certified shall proceed to try and determine such charge upon such indictment or information, the same as if affidavit had been made before such court charging the said offense.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 20, 2006.

Filed in Office Secretary of State June 20, 2006.