

SENATE AMENDMENT

AMENDMENT NO. _____

Allen/Pair
April 12, 2016

ADOPTED	TABLED	CARRIED OVER	FAILED	RECONSIDERED

Clerk of the Senate

ADOPTION NO. _____

BILL NO: S. 944

(Reference is to the original version.)

Senator PEELER proposed the following amendment (DKA\944C001.DKA.SA16):

Amend the bill, as and if amended, SECTION 1, page 2, by striking Section 10-1-30(C)(2)(b), and inserting:

/ (b) a permit requirement for events and demonstrations planned on the State House grounds that provides that permit applications must be submitted at least ten days prior to the scheduled event and/or demonstration, provided this permit requirement is subject to a small-group exception as established by the regulations; /

Amend further SECTION 1, page 2, by striking Section 10-1-30(D) and inserting:

/ (D)(1) The department, upon receipt of the permit application submitted pursuant to subsection (C), shall provide the permit application to the director of the State Law Enforcement Division and the director of the Department of Public Safety to review for possible public safety threats or crowd control concerns.

(2) The department shall issue only one permit each day for permissible demonstration areas unless it is determined that multiple permits may be awarded based on criteria established in regulations promulgated pursuant to subsection (A). The regulations must provide that the director of the State Law Enforcement Division and the director of the Department of Public Safety review the permit applications and notify the department that sufficient measures may be taken to protect the

public safety and address any crowd control concerns that are anticipated by the issuance of multiple permits for any given day and the issuance of multiple permits creates no imminent threat to public safety, health, or well-being.

(3) If sufficient measures are not taken to protect the public health, safety, and welfare, the director of the Department of Administration shall deny the ~~requested-use~~ permit. Other restrictions may be imposed on the use of the areas as are necessary for the conduct of business in those areas and the maintenance of the dignity, decorum, and aesthetics of the areas.” /

Amend the bill further by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. Section 10-11-330 of the 1976 Code, as last amended by Act 121 of 2014, is further amended to read:

“Section 10-11-330. (A) ~~It shall be~~ is unlawful for any person or group of persons wilfully and knowingly: ~~(a)~~(1) to enter or to remain within the capitol building unless such person is authorized by law or by rules of the House or Senate, or the Department of Administration regulations, respectively, when such entry is done for the purpose of uttering loud, threatening, and abusive language or to engage in any disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of any session of the legislature or the orderly conduct within the building or of any hearing before or any deliberation of any committee or subcommittee of the legislature; ~~(b)~~(2) to obstruct or to impede passage within the capitol grounds or building; ~~(c)~~(3) to engage in any act of physical violence upon the capitol grounds or within the capitol building; or ~~(d)~~(4) to parade, demonstrate, or picket within the capitol building.

(B) It is unlawful for any person or group of persons: (1) to enter or to remain on the capitol grounds when such entry is accomplished in a manner that causes or incites physical violence; (2) to engage or promote conduct that would threaten the public safety, health, or well-being of others present; or (3) to remain after being told to disperse by authorized law enforcement personnel.

(C) Authorized law enforcement personnel shall have the authority to remove or disperse any persons or organizations, including those with a valid permit or who are otherwise authorized to use the capitol grounds, if their continued presence and activity would cause an imminent threat to public security, health, or well-being. Any person or group of persons refusing to comply with removal or dispersal instructions by authorized law enforcement personnel is guilty of a

misdemeanor and, upon conviction, must be punished as provided in Section 10-11-360. A person or group of persons may be charged under applicable law in addition to the penalties in Section 10-11-360.” /

Renumber sections to conform.
Amend title to conform.