State of Arkansas

As Engrossed: S3/7/17 H3/17/17

SENATE BILL 550

Regular Session, 2017

By: Senator T. Garner

By: Representatives Ballinger, Hammer

For An Act To Be Entitled

AN ACT TO PROTECT ACCESS TO PLACES OF EMPLOYMENT, RIGHTS OF WAY, PRIVATE REAL PROPERTY, AND PUBLIC INFRASTRUCTURE; AND FOR OTHER PURPOSES.

Subtitle

TO PROTECT ACCESS TO PLACES OF EMPLOYMENT, RIGHTS OF WAY, PRIVATE REAL PROPERTY, AND PUBLIC INFRASTRUCTURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 5, Chapter 71, Subchapter 2, is amended to add an additional section to read as follows:

5-71-218. Unlawful mass picketing.

(a) As used in this section, "mass picketing" means the assembly of persons in the use of pickets or demonstrations at or near a business, school, or private facility.

(b) A person commits the offense of unlawful mass picketing if the person knowingly:

(1) Engages in mass picketing that:

(A) Obstructs access by the mass picketing to the pursuit of lawful work or employment; or

(B) Obstructs:

(i) The entrance to or egress from a place of employment; or

(ii) Free use of public roads, streets, highways,
railways, airports, or other rights-of-way of travel or conveyance; or

(2) Engages in mass picketing at a private residence that:
   (A) Obstructs the entrance to or exit from the private residence; or
   (B) Includes a threat of violence or intimidation communicated near or contiguous to the private residence.

(c) This section does not apply to a person who is validly exercising his or her rights as guaranteed by the United States Constitution or the Arkansas Constitution.

(d) Unlawful mass picketing is a Class A misdemeanor.

(e)(1) A person or entity who is harmed by unlawful mass picketing under this section may seek injunctive relief in the circuit court having jurisdiction to enjoin a person engaged in unlawful mass picketing from participating in unlawful mass picketing.

(2) A court hearing a petition for injunctive relief under this subsection may award court costs and reasonable attorney’s fees to a prevailing party as well as order a civil fine of up to one thousand dollars ($1,000) per day for a person who violates an order enjoining him or her from engaging in unlawful mass picketing.

/s/T. Garner