

As Engrossed: 2/10/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 1182 OF 1995
HOUSE BILL 1178

4 **By: Representatives Northcutt, M. Wilson, and Ferrell**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 5-54-102 TO PROVIDE THAT
9 SPECIFIED INDIVIDUALS WHO INTERFERE OR REFUSE TO COOPERATE
10 IN CASES BROUGHT UNDER TITLE IV-D OF THE SOCIAL SECURITY
11 ACT OR COMMIT THE CRIMINAL OFFENSE OF OBSTRUCTION OF
12 GOVERNMENTAL OPERATIONS; AND FOR OTHER PURPOSES."

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Subtitle

15 "TO PROVIDE FOR CRIMINAL PROSECUTION OF
16 SPECIFIED INDIVIDUALS WHO INTERFERE OR
17 REFUSE TO COOPERATE IN TITLE IV-D CHILD
18 SUPPORT CASES."

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

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22 SECTION 1. Arkansas Code Annotated § 5-54-102 is hereby amended to read
23 as follows:

24 "5-54-102. Obstructing governmental operations.

25 (a) A person commits the offense of obstructing governmental operations
26 if he:

27 (1) Knowingly obstructs, impairs, or hinders the performance of
28 any governmental function; or

29 (2) Knowingly refuses to provide information requested by an
30 employee of a governmental agency relating to the investigation of a case
31 brought under Title IV-D of the Social Security Act and is the physical
32 custodian of the child in the case; or

33 (3) Fails to submit to court-ordered scientific testing by a
34 *noninvasive procedure* to determine the paternity of a child in a case brought
35 under Title IV-D of the Social Security Act.

36 (b) Obstructing governmental operations by using or threatening to use

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1 physical force is a Class A misdemeanor. Otherwise, obstructing governmental
2 operations is a Class C misdemeanor.

3 (c) This section shall not apply to:

4 (1) Unlawful flight by a person charged with an offense; or

5 (2) Refusal to submit to arrest; or

6 (3) Any means of avoiding compliance with the law not involving
7 affirmative interference with governmental functions unless specifically set
8 forth herein; or

9 (4) The obstruction, impairment, or hindrance of unlawful action
10 by a public servant."

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12 SECTION 2. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 3. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 4. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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/s/Rep. Northcutt, et al

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APPROVED: 4-11-95

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