

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 1105 of 1999  
HOUSE BILL 2055

5 By: Representative Dees  
6  
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## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-71-214 PERTAINING TO  
10 OBSTRUCTING OF HIGHWAYS AND PUBLIC PASSAGEWAYS; AND  
11 FOR OTHER PURPOSES. "

## Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE 5-71-214  
14 PERTAINING TO OBSTRUCTING OF HIGHWAYS  
15 AND PUBLIC PASSAGEWAYS. "  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code 5-71-214 is amended to read as follows:

22 "5-71-214. Obstructing a highway or other public passage.

23 (a) A person commits the offense of obstructing a highway or other  
24 public passage if, having no legal privilege to do so and acting alone or with  
25 other persons, he renders any highway or other public passage impassable to  
26 pedestrian or vehicular traffic.

27 (b) It shall be a defense to a prosecution under this section that:

28 (1) The highway or other public passage was rendered impassable  
29 solely because of a gathering of persons to hear the defendant speak or  
30 otherwise communicate; ~~or~~

31 (2) The defendant was a member of a gathering contemplated by  
32 subdivision (1) of this subsection; or

33 (3) The highway or public passage obstructed has not been  
34 established as a city street, county road, or state or federal highway under  
35 the laws of this state and no civil court has established a right of passage  
36 by prescription for such highway or passage."

1 (c) Obstructing a highway or other public passage is a Class C  
2 misdemeanor.

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

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8 SECTION 3. If any provision of this act or the application thereof to  
9 any person or circumstance is held invalid, such invalidity shall not affect  
10 other provisions or applications of the act which can be given effect without  
11 the invalid provision or application, and to this end the provisions of this  
12 act are declared to be severable.

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

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18 APPROVED: 4/5/1999  
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