

**Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 163 of the Regular Session**

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1334

5 By: Representative D. Johnson
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For An Act To Be Entitled

AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR
OBSTRUCTING GOVERNMENTAL OPERATIONS UNDER CERTAIN
CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO INCREASE THE PENALTY CLASSIFICATION
FOR OBSTRUCTING GOVERNMENTAL OPERATIONS
UNDER CERTAIN CIRCUMSTANCES.

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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 § 5-54-102 is amended to read as follows:

22 5-54-102. Obstructing governmental operations.

23 (a) A person commits the offense of obstructing governmental
24 operations if the person:

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

27 (2) Knowingly refuses to provide information requested by an
28 employee of a governmental agency relating to the investigation of a case
29 brought under Title IV-D of the Social Security Act, 42 U.S.C. § 651 et seq.,
30 and is the physical custodian of the child in the case;

31 (3) Fails to submit to court-ordered scientific testing by a
32 noninvasive procedure to determine the paternity of a child in a case brought
33 under Title IV-D of the Social Security Act, 42 U.S.C. § 651 et seq.; or

34 (4) Falsely identifies himself or herself to a law enforcement
35 officer.



1 (b)(1) Obstructing governmental operations by using or threatening to
2 use physical force is a Class A misdemeanor.

3 (2) For a second or subsequent offense of obstructing
4 governmental operations under subdivision (a)(4) of this section, a person is
5 guilty of a Class A misdemeanor.

6 (3) Otherwise, obstructing governmental operations is a Class C
7 misdemeanor.

8 (c) This section does not apply to:

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

10 (2) Refusal to submit to arrest;

11 (3) Any means of avoiding compliance with the law not involving
12 affirmative interference with a governmental function unless specifically set
13 forth in this section; or

14 (4) Obstruction, impairment, or hindrance of what a person
15 reasonably believes is a public servant's unlawful action.

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17 APPROVED: 2/28/2007
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