

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 342 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H2/10/09 H2/18/09

A Bill

HOUSE BILL 1394

5 By: Representatives J. Edwards, *Adcock*

6 By: Senator Elliott
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For An Act To Be Entitled

10 AN ACT TO EXPAND THE OFFENSE OF OBSTRUCTING
11 GOVERNMENTAL OPERATIONS TO INCLUDE FALSELY
12 IDENTIFYING ONESELF TO AN ANIMAL CONTROL OR CODE
13 ENFORCEMENT OFFICER; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO EXPAND THE OFFENSE OF OBSTRUCTING
16 GOVERNMENTAL OPERATIONS TO INCLUDE
17 FALSELY IDENTIFYING ONESELF TO AN ANIMAL
18 CONTROL OR CODE ENFORCEMENT OFFICER.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 5-54-102, is amended to read as follows:

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

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

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, 42 U.S.C. § 651 et seq.,
32 and is the physical custodian of the child in the case;

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, 42 U.S.C. § 651 et seq.; or



1 (4) Falsely identifies himself or herself to a law enforcement
2 officer, or a code enforcement officer.

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

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

8 (3) Otherwise, obstructing governmental operations is a Class C
9 misdemeanor.

10 (c) This section does not apply to:

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

12 (2) Refusal to submit to arrest;

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

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

18 (d)(1) As used in this section, "code enforcement officer" means an
19 individual charged with the duty of enforcing a municipal code, municipal
20 ordinance, or municipal regulation as defined by a municipal code, municipal
21 ordinance, or municipal regulation.

22 (2) "Code enforcement officer" includes a municipal animal
23 control officer.

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25 /s/ J. Edwards

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27 **APPROVED: 3/10/2009**