

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 550

TO CREATE THE OFFENSE OF UNLAWFUL MASS PICKETING.

Amendment No. 1 to Senate Bill No. 550

Amend Senate Bill No. 550 as engrossed, S3/7/17 (version: 03/07/2017 8:58:40 AM):

Add Representatives Ballinger, Hammer as cosponsors of the bill

AND

Delete the title in its entirety and substitute the following:
"AN ACT TO PROTECT ACCESS TO PLACES OF EMPLOYMENT, RIGHTS OF WAY, PRIVATE REAL PROPERTY, AND PUBLIC INFRASTRUCTURE; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:
"TO PROTECT ACCESS TO PLACES OF EMPLOYMENT, RIGHTS OF WAY, PRIVATE REAL PROPERTY, AND PUBLIC INFRASTRUCTURE."

AND

Delete everything after the enacting clause and substitute the following:

"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."

The Amendment was read _____

By: Representative Ballinger

BPG/TDW - 03-16-2017 11:31:52

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Chief Clerk