

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1505

By: Representative Hutchinson

"AN ACT TO AMEND SECTION 2802 OF ACT 280 OF 1975, AS AMENDED [ARK. STAT. 41--2802] TO MAKE IT UNLAWFUL TO KNOWINGLY GIVE FALSE INFORMATION TO A POLICE OFFICER TO OBSTRUCT, IMPAIR OR HINDER THE OFFICER IN THE PERFORMANCE OF HIS DUTIES; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 2802 of Act 280 of 1975, as amended, the same being Arkansas Statutes 41-2802, is hereby amended to read as follows:

"Section 2802. OBSTRUCTING GOVERNMENTAL OPERATIONS. (1) A person commits the offense of obstructing governmental operation if he knowingly obstructs, impairs, or hinders the performance of any governmental function; or if he knowingly gives a police officer false information to obstruct, impair, or hinder the officer in the performance of his duties.

(2) Obstructing governmental operations by using or threatening to use physical force is a class A misdemeanor. Otherwise obstructing governmental operations is a class C misdemeanor.

(3) This section shall not apply to:

- (a) unlawful flight by a person charged with an offense; or
- (b) refusal to submit to arrest; or
- (c) any means of avoiding compliance with the law not involving affirmative interference with governmental functions; or
- (d) the obstruction, impairment or hinderance of unlawful action by a public servant.

(4) Giving false information to a police officer to obstruct, impair, or hinder the officer in the performance of his duties shall not constitute a refusal to submit to arrest."

SECTION 2. All laws or parts of laws in conflict with this Act are hereby repealed.

