

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1178

4 By: Representatives Northcutt, M. Wilson, and Ferrell

5
6

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 5-54-102 TO PROVIDE THAT
9 SPECIFIED INDIVIDUALS WHO INTERFERE OR REFUSE TO COOPERATE
10 IN CASES BROUGHT UNDER TITLE IV-D OF THE SOCIAL SECURITY
11 ACT OR COMMIT THE CRIMINAL OFFENSE OF OBSTRUCTION OF
12 GOVERNMENTAL OPERATIONS; AND FOR OTHER PURPOSES."

13

Subtitle

14
15 "TO PROVIDE FOR CRIMINAL PROSECUTION OF
16 SPECIFIED INDIVIDUALS WHO INTERFERE OR
17 REFUSE TO COOPERATE IN TITLE IV-D CHILD
18 SUPPORT CASES."

19

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

21

22 SECTION 1. Arkansas Code Annotated § 5-54-102 is hereby amended to
23 read as follows:

24 "5-54-102. Obstructing governmental operations.

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

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

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 and is the physical
32 custodian of the child in the case; or

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.

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

4 (c) This section shall not apply to:

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

6 (2) Refusal to submit to arrest; or

7 (3) Any means of avoiding compliance with the law not involving
8 affirmative interference with governmental functions unless specifically set
9 forth herein; or

10 (4) The obstruction, impairment, or hindrance of unlawful action
11 by a public servant."

12

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

16

17 SECTION 3. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

22

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24 hereby repealed.

25

/s/Rep. Northcutt, et al

26

27

28

29

30

31

32

33

34

35

