

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.

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

A Bill

HOUSE BILL 1199

5 By: Representatives Cook, J. Johnson
6 By: Senator Miller
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For An Act To Be Entitled

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9
10 AN ACT CONCERNING DISORDERLY CONDUCT ON PUBLIC
11 SCHOOL PROPERTY; AND FOR OTHER PURPOSES.
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Subtitle

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14 CONCERNING DISORDERLY CONDUCT ON PUBLIC
15 SCHOOL PROPERTY.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-71-207 is amended to read as follows:
21 5-71-207. Disorderly conduct.

22 (a) A person commits the offense of disorderly conduct if, with the
23 purpose to cause public inconvenience, annoyance, or alarm or recklessly
24 creating a risk of public inconvenience, annoyance, or alarm, he or she:

25 (1) Engages in fighting or in violent, threatening, or
26 tumultuous behavior;

27 (2) Makes unreasonable or excessive noise;

28 (3) In a public place, uses abusive or obscene language, or
29 makes an obscene gesture, in a manner likely to provoke a violent or
30 disorderly response;

31 (4) Disrupts or disturbs any lawful assembly or meeting of
32 persons;

33 (5) Obstructs vehicular or pedestrian traffic;

34 (6) Congregates with two (2) other persons in a public place and
35 refuses to comply with a lawful order to disperse of a law enforcement
36 officer or other person engaged in enforcing or executing the law;



(7) Creates a hazardous or physically offensive condition;

(8) In a public place, mars, defiles, desecrates, or otherwise damages a patriotic or religious symbol that is an object of respect by the public or a substantial segment of the public; or

(9) In a public place, exposes his or her private parts.

(b) Disorderly conduct is a Class C misdemeanor.

(c)(1) Upon probable cause for believing a person has engaged in disorderly conduct on public school property, a law enforcement officer may arrest the person without a warrant.

(2) A security officer, school administrator, teacher, or other school district employee who has observed the person alleged to have committed disorderly conduct on public school property shall provide a written statement that serves as probable cause to justify the arrest under subdivision (c)(1) of this section.

(3) A person arrested under subdivision (c)(1) of this section shall be brought immediately before a magistrate and afforded an opportunity to make a bond or recognizance as in any other criminal case.

(4) The detention by a law enforcement officer of a person arrested under subdivision (c)(1) of this section based upon a written statement under subdivision (c)(2) of this section shall not render the law enforcement officer criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

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