

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

As Engrossed: H1/25/07

A Bill

HOUSE BILL 1199

5 By: Representatives Cook
6 By: Senator Miller
7

For An Act To Be Entitled

AN ACT CONCERNING DISORDERLY CONDUCT ON PUBLIC
SCHOOL PROPERTY; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING DISORDERLY CONDUCT ON PUBLIC
SCHOOL PROPERTY.

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

SECTION 1. Arkansas Code § 5-71-207 is amended to read as follows:
5-71-207. Disorderly conduct.

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

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

(2) Makes unreasonable or excessive noise;

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

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

(5) Obstructs vehicular or pedestrian traffic;

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



1 (7) Creates a hazardous or physically offensive condition;

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

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

6 (b) Disorderly conduct is a Class C misdemeanor.

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

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

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

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

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/s/ Cook