

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 1334

5 By: Representative D. Johnson
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For An Act To Be Entitled

9 AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR
10 OBSTRUCTING GOVERNMENTAL OPERATIONS UNDER CERTAIN
11 CIRCUMSTANCES; AND FOR OTHER PURPOSES.
12

Subtitle

13 TO INCREASE THE PENALTY CLASSIFICATION
14 FOR OBSTRUCTING GOVERNMENTAL OPERATIONS
15 UNDER CERTAIN CIRCUMSTANCES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-54-102 is amended to read as follows:

22 5-54-102. Obstructing governmental operations.

23 (a) A person commits the offense of obstructing governmental
24 operations if the person:

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

27 (2) Knowingly refuses to provide information requested by an
28 employee of a governmental agency relating to the investigation of a case
29 brought under Title IV-D of the Social Security Act, 42 U.S.C. § 651 et seq.,
30 and is the physical custodian of the child in the case;

31 (3) Fails to submit to court-ordered scientific testing by a
32 noninvasive procedure to determine the paternity of a child in a case brought
33 under Title IV-D of the Social Security Act, 42 U.S.C. § 651 et seq.; or

34 (4) Falsely identifies himself or herself to a law enforcement
35 officer.

36 (b)(1) Obstructing governmental operations by using or threatening to



1 use physical force is a Class A misdemeanor.

2 (2) For a second or subsequent offense of obstructing
3 governmental operations under subdivision (a)(4) of this section, a person is
4 guilty of a Class A misdemeanor.

5 (3) Otherwise, obstructing governmental operations is a Class C
6 misdemeanor.

7 (c) This section does not apply to:

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

9 (2) Refusal to submit to arrest;

10 (3) Any means of avoiding compliance with the law not involving
11 affirmative interference with a governmental function unless specifically set
12 forth in this section; or

13 (4) Obstruction, impairment, or hindrance of what a person
14 reasonably believes is a public servant's unlawful action.

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