

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 813
99TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, February 15, 2018, with recommendation that the Senate Committee Substitute do pass.

4257S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 574.010, RSMo, and to enact in lieu thereof one new section relating to the offense of peace disturbance, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 574.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.010, to read as follows:

574.010. 1. A person commits the offense of peace disturbance if he or she:

(1) Unreasonably and knowingly disturbs or alarms another person or persons by:

(a) Loud noise; or

(b) Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or

(c) Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or

(d) Fighting; or

(e) Creating a noxious and offensive odor;

(2) Is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

(a) Vehicular or pedestrian traffic; or

(b) The free ingress or egress to or from a public or private place.

2. **Except as otherwise provided by subsection 3 of this section,** the offense of peace disturbance is a class B misdemeanor upon the first

21 conviction. Upon a second or subsequent conviction, peace disturbance is a class
22 A misdemeanor. Upon a third or subsequent conviction, a person shall be
23 sentenced to pay a fine of no less than one thousand dollars and no more than
24 five thousand dollars.

25 **3. The offense of peace disturbance is a class A misdemeanor for**
26 **which a person shall be either sentenced to imprisonment for no less**
27 **than seven days but no more than thirty days or to pay a fine of no less**
28 **than one thousand dollars and no more than five thousand dollars if:**

29 (1) Such violation results in the obstruction of an interstate
30 highway or limited or controlled access highway; or

31 (2) Such violation results in the unreasonable and physical
32 obstruction of emergency medical services personnel as defined in
33 section 190.600.

34 **4. In addition to the criminal penalties, any person who commits**
35 **an act made unlawful by subsection 3 of this section shall be liable to**
36 **any person to whom harm was caused because of such act for economic**
37 **damages.**

Bill ✓

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