AN ACT REVISING SENTENCING LAWS FOR DISORDERLY CONDUCT; AND AMENDING SECTION 45-8-101, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-8-101, MCA, is amended to read:

"45-8-101. Disorderly conduct. (1) A person commits the offense of disorderly conduct if:

(a) the person knowingly disturbs the peace by:

(i) quarreling, challenging to fight, or fighting;

(ii) making loud or unusual noises;

(iii) using threatening, profane, or abusive language;

(iv) rendering vehicular or pedestrian traffic impassable;

(v) rendering the free ingress or egress to public or private places impassable;

(vi) disturbing or disrupting any lawful assembly or public meeting;

(vii) transmitting a false report or warning of a fire or other catastrophe in a place where its occurrence would endanger human life;

(viii) creating a hazardous or physically offensive condition by any act that serves no legitimate purpose; or

(ix) transmitting a false report or warning of an impending explosion in a place where its occurrence would endanger human life; or

(b) in the course of engaging in any of the conduct prohibited by subsections (1)(a)(i) through (1)(a)(vi), a peace officer recognizes the person's conduct creates an articulable public safety risk.

(2) Except as provided in subsections (2)(b), (3), and (4) subsection (3), a person convicted of the offense of disorderly conduct shall be fined an amount not to exceed $100 or be imprisoned in the county..."
jail for a term not to exceed 10 days, or both.

(b) A person convicted of a second or subsequent violation of subsections (1)(a)(i) through (1)(a)(vi) within 1 year shall be fined an amount not to exceed $100 or be imprisoned in the county jail for a term not to exceed 10 days, or both.

(3) A person convicted of a violation of subsections subsection (1)(i)(a)(vii) through (1)(a)(ix) shall be fined an amount not to exceed $1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.

(4) A person convicted of a violation of subsection (1)(b) shall be fined an amount not to exceed $500 or be imprisoned in the county jail for a term not to exceed 1 day, or both.”
I hereby certify that the within bill, SB 19, originated in the Senate.

___________________________________________
Secretary of the Senate

___________________________________________
President of the Senate

Signed this _______________________________day of__________________________________, 2023.

___________________________________________
Speaker of the House

Signed this _______________________________day of__________________________________, 2023.
SENATE BILL NO. 19

INTRODUCED BY K. REGIER

BY REQUEST OF THE CRIMINAL JUSTICE OVERSIGHT COUNCIL

AN ACT REVISING SENTENCING LAWS FOR DISORDERLY CONDUCT; AND AMENDING SECTION 45-8-101, MCA.