

SENATE BILL 309

Introduced by Burnett, et al.

2/07	Introduced
2/08	Referred to Judiciary
2/08	First Reading
2/08	Fiscal Note Requested
2/14	Fiscal Note Received
2/14	Fiscal Note Printed
2/20	Hearing
2/20	Tabled in Committee
3/21	Fiscal Note Received

1 *Senate* BILL NO. *309*
 2 INTRODUCED BY *Richard H. ... Jeff Anderson*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF
 5 OBSTRUCTION OF BUSINESS OR SOCIAL OR RECREATIONAL FUNCTION;
 6 AND PROVIDING PENALTIES."
 7

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

9 NEW SECTION. Section 1. Obstruction of business or
 10 social or recreational function. (1) A person commits the
 11 offense of obstruction of business if he purposely and
 12 knowingly verbally abuses or obstructs the customers of any
 13 place of business or in any way disrupts the normal
 14 functioning of any place of business, public or private or
 15 disrupts any social or recreational function.

16 (2) Except as provided in subsection (3), a person
 17 convicted of the offense of obstruction of business or
 18 social or recreational function shall be fined not to exceed
 19 \$1,000 or be imprisoned in the county jail or detained under
 20 house arrest for a term not less than 6 months, or both.

21 (3) A person who commits the offense of obstruction of
 22 business or social or recreational function during which
 23 physical injury is inflicted on any living thing or property
 24 damage is inflicted is guilty of a felony and shall be fined
 25 not to exceed \$50,000 or be imprisoned in the state prison

1 for a term not to exceed 10 years, or both.

2 NEW SECTION. Section 2. Codification instruction.
 3 [Section 1] is intended to be codified as an integral part
 4 of Title 45, chapter 8, part 1, and the provisions of Title
 5 45, chapter 8, part 1, apply to [section 1].

-End-



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0309, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

The bill creates the offense of obstruction of business or social or recreational function and provides penalties for the offense.

ASSUMPTIONS:

1. A person convicted of the offense shall be fined or imprisoned in the county jail or by house arrest.
2. A person convicted of this offense when physical injury is inflicted is guilty of a felony and can be fined or imprisoned in the state prison.
3. The bill creates no material fiscal impact because, under current law, a person who inflicts a physical injury on another person can be charged with felony assault.

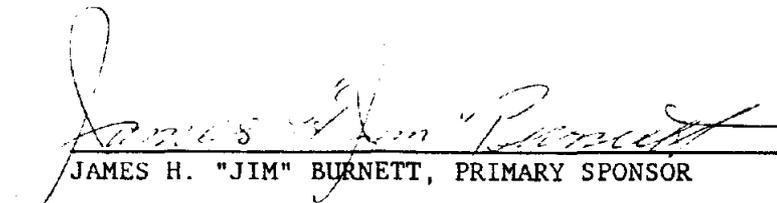
FISCAL IMPACT:

None.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

No material impact.

 2-13-91
ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 2/14/91
JAMES H. "JIM" BURNETT, PRIMARY SPONSOR DATE
Fiscal Note for SB0309, as introduced

SB 309