

HOUSE BILL NO. 489

INTRODUCED BY RICE

IN THE HOUSE

JANUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 30, 1989	FIRST READING.
FEBRUARY 10, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 11, 1989	PRINTING REPORT.
FEBRUARY 13, 1989	SECOND READING, DO PASS.
FEBRUARY 14, 1989	ENGROSSING REPORT.
FEBRUARY 15, 1989	THIRD READING, PASSED. AYES, 97; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 15, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 16, 1989	SECOND READING, CONCURRED IN.
MARCH 18, 1989	THIRD READING, CONCURRED IN. AYES, 46; NOES, 0.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 31, 1989	RECEIVED FROM SENATE.
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APRIL 1, 1989

SECOND READING, AMENDMENTS
CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 489
2 INTRODUCED BY Rice
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4 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE
5 TRANSMISSION OF A FALSE REPORT OR WARNING OF AN IMPENDING
6 EXPLOSION FROM THE LIST OF ACTS THAT CONSTITUTE DISORDERLY
7 CONDUCT; AND AMENDING SECTION 45-8-101, MCA."

8

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

10 **Section 1.** Section 45-8-101, MCA, is amended to read:11 **"45-8-101. Disorderly conduct.** (1) A person commits
12 the offense of disorderly conduct if he knowingly disturbs
13 the peace by:14 (a) quarreling, challenging to fight, or fighting;
15 (b) making loud or unusual noises;
16 (c) using threatening, profane, or abusive language;
17 (d) discharging firearms;
18 (e) rendering vehicular or pedestrian traffic
19 impassable;20 (f) rendering the free ingress or egress to public or
21 private places impassable;22 (g) disturbing or disrupting any lawful assembly or
23 public meeting;24 (h) transmitting a false report or warning of a fire,
25 impending--explosion, or other catastrophe in such a place

1 that its occurrence would endanger human life; or

2 (i) creating a hazardous or physically offensive
3 condition by any act that serves no legitimate purpose.4 (2) A person convicted of the offense of disorderly
5 conduct shall be fined not to exceed \$100 or be imprisoned
6 in the county jail for a term not to exceed 10 days, or
7 both."

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

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2 INTRODUCED BY Rice

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4 (2) A person convicted of the offense of disorderly
5 conduct shall be fined not to exceed \$100 or be imprisoned
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-End-

SENATE STANDING COMMITTEE REPORT

March 15, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration HB 489 (third reading copy -- blue), respectfully report that HB 489 be amended and as so amended be concurred in:

Sponsor: Rice (Halligan)

1. Title, line 4.

Strike: "DELETING"

Insert: "INCREASING THE PENALTY FOR"

2. Title, lines 6 and 7.

Following: "EXPLOSION" on line 6

Strike: remainder of line 6 through "CONDUCT" on line 7

3. Page 2, line 1.

Strike: "or"

4. Page 2, line 3.

Following: "purpose"

Insert: "; or

(j) transmitting a false report or warning of an impending explosion in such a place that its occurrence would endanger human life"

5. Page 2, line 4.

Following: "(2)"

Strike: "A"

Insert: "Except as provided in subsection (3), a"

6. Page 2.

Following: line 7

Insert: "(3) A person convicted of a violation of subsection (1)(j) shall be fined not to exceed \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both."

AND AS AMENDED BE CONCURRED IN

Signed: 

Bruce D. Crippen, Chairman

SENATE
HB489

HOUSE BILL NO. 489

INTRODUCED BY RICE

A BILL FOR AN ACT ENTITLED: "AN ACT ~~DELETING~~ INCREASING THE
PENALTY FOR THE TRANSMISSION OF A FALSE REPORT OR WARNING OF
AN IMPENDING EXPLOSION FROM THE LIST OF ACTS THAT CONSTITUTE
DISORDERLY CONDUCT; AND AMENDING SECTION 45-8-101, MCA."

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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 he knowingly disturbs
the peace by:

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- (c) using threatening, profane, or abusive language;
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- (e) rendering vehicular or pedestrian traffic
impassable;
- (f) rendering the free ingress or egress to public or
private places impassable;
- (g) disturbing or disrupting any lawful assembly or
public meeting;
- (h) transmitting a false report or warning of a fire,
~~impending explosion,~~ or other catastrophe in such a place

that its occurrence would endanger human life; or

(i) creating a hazardous or physically offensive
condition by any act that serves no legitimate purpose; OR
(J) TRANSMITTING A FALSE REPORT OR WARNING OF AN
IMPENDING EXPLOSION IN SUCH A PLACE THAT ITS OCCURRENCE
WOULD ENDANGER HUMAN LIFE.

(2) A EXCEPT AS PROVIDED IN SUBSECTION (3), A person
convicted of the offense of disorderly conduct shall be
fined 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 SUBSECTION
(1)(J) SHALL BE FINED NOT TO EXCEED \$1,000 OR BE IMPRISONED
IN THE COUNTY JAIL FOR A TERM NOT TO EXCEED 1 YEAR, OR
BOTH."

-End-