

2021 -- H 6269

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LC002709
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO CRIMINAL OFFENSES -- DISORDERLY CONDUCT -- UNLAWFUL
INTERFERENCE WITH TRAFFIC

Introduced By: Representatives Corvese, Noret, Hawkins, Azzinaro, Casey, and Phillips

Date Introduced: April 28, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-45-1 of the General Laws in Chapter 11-45 entitled "Disorderly
2 Conduct" is hereby amended to read as follows:

3 **11-45-1. Disorderly conduct.**

4 (a) A person commits disorderly conduct if he or she intentionally, knowingly, or
5 recklessly:

6 (1) Engages in fighting or threatening, or in violent or tumultuous behavior;

7 (2) In a public place or near a private residence that he or she has no right to occupy,
8 disturbs another person by making loud and unreasonable noise which under the circumstances
9 would disturb a person of average sensibilities;

10 (3) Directs at another person in a public place offensive words which are likely to provoke
11 a violent reaction on the part of the average person so addressed;

12 (4) Alone or with others, obstructs a highway, street, sidewalk, railway, waterway, building
13 entrance, elevator, aisle, stairway, or hallway to which the public or a substantial group of the public
14 has access or any other place ordinarily used for the passage of persons, vehicles, or conveyances;

15 (5) Engages in conduct which obstructs or interferes physically with a lawful meeting,
16 procession, or gathering;

17 (6) Enters upon the property of another and for a lascivious purpose looks into an occupied
18 dwelling or other building on the property through a window or other opening; or

1 (7) Who without the knowledge or consent of the individual, looks for a lascivious purpose
2 through a window, or any other opening into an area in which another would have a reasonable
3 expectation of privacy, including, but not limited to, a restroom, locker room, shower, changing
4 room, dressing room, bedroom, or any other such private area, notwithstanding any property rights
5 the individual may have in the location in which the private area is located.

6 (8) [Deleted by P.L. 2008, ch. 183, § 1].

7 (b) In addition to violations pursuant to subsection (a) of this section a person commits
8 disorderly conduct when the person obstructs any highway causing the interruption, distraction or
9 delay of any person traveling on the highway. For purposes of this subsection, "obstructs" shall
10 include, but not be limited to, standing, siting, kneeling, or loitering in any way, and "highway"
11 means all roads as defined in § 31-2-23 except a private road or driveway.

12 ~~(b)~~(c) Any person, including a police officer, may be a complainant for the purposes of
13 instituting action for any violation of this section.

14 ~~(c)~~(d) Any person found guilty of the crime of disorderly conduct shall be imprisoned for
15 a term of not more than six (6) months, or fined not more than five hundred dollars (\$500), or both.

16 ~~(d)~~(e) In no event shall subdivisions (a)(2) -- (5) of this section be construed to prevent
17 lawful picketing or lawful demonstrations ~~including, but not limited to, those~~ relating to a labor
18 dispute.

19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would criminalize as disorderly conduct the act of interfering with the lawful
- 2 movement of traffic on any highway.
- 3 This act would take effect upon passage.

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