



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)~~(a) quarreling, challenging to fight, or fighting;

~~(ii)~~(b) making loud or unusual noises;

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

~~(iv)~~(d) rendering vehicular or pedestrian traffic impassable;

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

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

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

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

~~(ix)~~(i) 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) ~~(a) 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."~~

- END -

I hereby certify that the within bill,  
SB 19, originated in the Senate.

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Secretary of the Senate

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

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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.