

HOUSE BILL NO. 446

INTRODUCED BY SCHWADERER, KERNS, MILLER, C. SMITH

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE OFFENSE OF DISORDERLY CONDUCT;
PROVIDING THAT DISCHARGING FIREARMS IS NOT 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 the person knowingly disturbs the peace by:

- (a) quarreling, challenging to fight, or fighting;
- (b) making loud or unusual noises;
- (c) using threatening, profane, or abusive language;
- ~~(d) discharging firearms, except at a shooting range during established hours of operation;~~
- ~~(e)~~(d) rendering vehicular or pedestrian traffic impassable;
- ~~(f)~~(e) rendering the free ingress or egress to public or private places impassable;
- ~~(g)~~(f) disturbing or disrupting any lawful assembly or public meeting;
- ~~(h)~~(g) transmitting a false report or warning of a fire or other catastrophe in a place where its occurrence

would endanger human life;

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

or

- ~~(j)~~(i) transmitting a false report or warning of an impending explosion in a place where its occurrence would endanger human life.

(2) Except as provided in 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.

(3) A person convicted of a violation of subsection ~~(1)(j)~~ (1)(i) 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."

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