

1 **INTERFERENCE WITH SCHOOL ACTIVITIES**

2 2004 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Bradley G. Last**

6 **LONG TITLE**

7 **General Description:**

8 This bill creates the offense of interfering with the peaceful activities of a school for
9 grades kindergarten through 12th grade.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines a school as a public or private K-12 school;
- 13 ▶ creates the offense of disrupting school activities by conduct at or near the school
14 and not leaving when requested by the school administrator; and
- 15 ▶ provides for a class B misdemeanor for the first and second offense, and a class A
16 misdemeanor for any subsequent offenses.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **78-8a-101**, Utah Code Annotated 1953

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26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **78-8a-101** is enacted to read:



Part 1. Disruption of School Activities

78-8a-101. Definitions.

As used in this part:

(1) "Chief administrator" means the principal of a school or the chief administrator of a school that does not have a principal, and includes the administrator's designee or representative.

(2) "School" means an elementary school or a secondary school that:

(a) is a public or private school; and

(b) provides instruction for one or more of the grades kindergarten through 12.

Section 2. Section **78-8a-102** is enacted to read:

78-8a-102. Disruption of activities in or near school building -- Failure to leave -- Reentry -- Penalties.

(1) A person is guilty of an offense under Subsection (2):

(a) who comes into any school building or upon any school ground, or street, sidewalk, or public way adjacent to any school building or ground;

(b) whose presence or acts interfere with the peaceful conduct of the activities of any school or disrupt the school or its pupils or school activities; and

(c) who:

(i) remains upon the place under Subsection (1)(a) after being asked to leave by the chief administrator of that school; or

(ii) enters again upon the place under Subsection (1)(a) within 72 hours after having been asked to leave under Subsection (1)(c)(i).

(2) (a) A violation of Subsection (1) is subject to the penalties under Subsection (2)(b) unless the violation constitutes another offense subject to a greater penalty.

(b) (i) The first and second violation of Subsection (1) are class B misdemeanors.

(ii) A third and any subsequent violations of Subsection (1) are class A misdemeanors.

Legislative Review Note
as of 10-1-03 9:10 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note**Interference with School Activities***16-Jan-04***Bill Number HB0177***2:09 PM*

State Impact

No fiscal impact.

Individual and Business ImpactNo fiscal impact.

Office of the Legislative Fiscal Analyst