

***Effective 5/1/2024***

**76-8-305 Interference with a peace officer.**

- (1) Terms defined in Sections 76-1-101.5 and 76-8-101 apply to this section.
- (2) An actor commits interference with a peace officer if the actor:
  - (a) knows, or by the exercise of reasonable care should have known, that a peace officer is seeking to effect a lawful arrest or detention of the actor or another individual; and
  - (b) interferes with the arrest or detention by:
    - (i) use of force or a weapon;
    - (ii) refusing to perform an act required by lawful order:
      - (A) necessary to effect the arrest or detention; and
      - (B) made by a peace officer involved in the arrest or detention; or
    - (iii) refusing to refrain from performing an act that would impede the arrest or detention.
- (3) A violation of Subsection (2) is a class B misdemeanor.
- (4) Recording the actions of a peace officer with a camera, mobile phone, or other photographic device, while the peace officer is performing official duties in plain view, does not by itself constitute:
  - (a) interference with the peace officer;
  - (b) willful resistance;
  - (c) disorderly conduct; or
  - (d) obstruction of justice.

Amended by Chapter 96, 2024 General Session