

Effective 5/10/2016

76-9-102 Disorderly conduct.

- (1) A person is guilty of disorderly conduct if:
 - (a) the person refuses to comply with the lawful order of a law enforcement officer to move from a public place, or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or
 - (b) intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, the person:
 - (i) engages in fighting or in violent, tumultuous, or threatening behavior;
 - (ii) makes unreasonable noises in a public place;
 - (iii) makes unreasonable noises in a private place which can be heard in a public place; or
 - (iv) obstructs vehicular or pedestrian traffic in a public place.
- (2) "Public place," for the purpose of this section, means any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, public buildings and facilities, transport facilities, and shops.
- (3) The mere carrying or possession of a holstered or encased firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the holstered or encased firearm was carried or possessed with criminal intent, does not constitute a violation of this section. Nothing in this Subsection (3) may limit or prohibit a law enforcement officer from approaching or engaging any person in a voluntary conversation.
- (4) Disorderly conduct is a class C misdemeanor if the offense continues after a request by a person to desist. Otherwise it is an infraction.

Amended by Chapter 245, 2016 General Session