

1st Sub. H.B. 268
DISORDERLY CONDUCT AMENDMENTS

Representative **Derek E. Brown** proposes the following amendments:

1. Page 2, Lines 32 through 38:

32 (b) intending to cause public inconvenience, annoyance, or alarm, or recklessly
33 creating a risk thereof, ~~he~~ the person:

(i) displays a dangerous weapon in a public place under circumstances that would cause a reasonable person to fear for the safety of any person;

34 ~~{(i)}~~ (ii) engages in fighting or in violent, tumultuous, or threatening behavior;

35 ~~{(ii)}~~ (iii) makes unreasonable noises in a public place;

36 ~~{(iii)}~~ (iv) makes unreasonable noises in a private place which can be heard in a public place;

37 or

38 ~~{(iv)}~~ (v) obstructs vehicular or pedestrian traffic.

2. Page 2, Lines 43 through 47:

43 (3) ~~{The mere carrying or possession of a holstered or encased firearm, whether visible~~
44 ~~or concealed, without additional behavior or circumstances that would cause a reasonable~~
45 ~~person to believe the holstered or encased firearm was carried or possessed unlawfully or with~~
46 ~~criminal intent, does not constitute a violation of this section. For purposes of this subsection,~~
47 ~~a reasonable belief may not be based on a mistake of law.}~~

The otherwise lawful possession of a dangerous weapon, whether visible or concealed, without additional behavior, does not constitute a hazardous or physically offensive condition, threatening behavior, or a cause for public inconvenience, annoyance, or alarm under Subsection (1).