

INTERFERING WITH A PEACE OFFICER

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Adam Gardiner

LONG TITLE

General Description:

This bill makes clarifying changes to the interference with a peace officer statute.

Highlighted Provisions:

This bill:

clarifies that interfering with a peace officer applies to any person who interferes, not just the person being detained.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-8-305, as last amended by Laws of Utah 1990, Chapter 274

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

Section 1. Section **76-8-305** is amended to read:

76-8-305. Interference with peace officer.

A person is guilty of a class B misdemeanor if ~~[he has knowledge]~~ the person knows, or by the exercise of reasonable care should have ~~[knowledge]~~ known, that a peace officer is seeking to effect a lawful arrest or detention of that person or another person and interferes



28 with the arrest or detention by:

29 (1) use of force or any weapon;

30 (2) [~~the arrested person's refusal~~] refusing to perform any act required by lawful order:

31 (a) necessary to effect the arrest or detention; and

32 (b) made by a peace officer involved in the arrest or detention; or

33 (3) [~~the arrested person's or another person's refusal~~] refusing to refrain from

34 performing any act that would impede the arrest or detention.

Legislative Review Note
Office of Legislative Research and General Counsel