



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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February 21, 2017

Mr. President,

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 239**, INTERFERING WITH A PEACE OFFICER, by Senator T. Weiler, with the following amendments:

1. *Page 1, Line 24 through Page 2, Line 34:*

- 24 76-8-305. Interference with peace officer.
- 25 (1) A person is guilty of a class B misdemeanor if ~~[he has knowledge]~~ the  
person knows, or
- 26 by the exercise of reasonable care should have ~~[knowledge]~~ known, that a peace officer is
- 27 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)}~~ (a) use of force or any weapon;
- 30 ~~{(2)}~~ (b) ~~[the arrested person's refusal]~~ refusing to perform any act
- required by lawful order:
- 31 ~~{(a)}~~ (i) necessary to effect the arrest or detention; and
- 32 ~~{(b)}~~ (ii) made by a peace officer involved in the arrest or detention; or
- 33 ~~{(3)}~~ (c) ~~[the arrested person's or another person's refusal]~~ refusing to
- refrain from
- 34 performing any act that would impede the arrest or detention.

**(2) Recording the actions of a law enforcement officer with a camera, mobile phone, or other photographic device, while the officer is performing official duties in plain view, does not by itself constitute:**

Bill Number



SB0239

Action Class



S

Action Code



SCRAMD

S.B. 239

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**(a) interference with the officer;**

**(b) willful resistance;**

**(c) disorderly conduct; or**

**(d) obstruction of justice.**

Respectfully,

Todd Weiler  
Chair

Voting: 5-0-2

*5 SB0239.SC1.wpd 2/21/17 5:50 pm ggirvan/GAG ECM/GAG*