

FIRST REGULAR SESSION

# SENATE BILL NO. 319

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATORS STOLL AND GIBBONS.

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Read 1st time January 23, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1176S.011

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## AN ACT

To repeal section 574.010, RSMo, and to enact in lieu thereof one new section relating to disturbance of the peace, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 574.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.010, to read as follows:

574.010. 1. A person commits the crime of peace disturbance if:

(1) He unreasonably and knowingly disturbs or alarms another person or persons by:

(a) Loud noise; or

(b) Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or

(c) Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or

(d) Fighting; or

(e) Creating a noxious and offensive odor; **or**

**(f) Permitting the continued barking of a dog under his ownership or control;**

(2) He is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

(a) Vehicular or pedestrian traffic; or

(b) The free ingress or egress to or from a public or private place.

2. Peace disturbance is a class B misdemeanor upon the first conviction. Upon a second

or subsequent conviction, peace disturbance is a class A misdemeanor. Upon a third or subsequent conviction, a person shall be sentenced to pay a fine of no less than one thousand dollars and no more than five thousand dollars.

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