

**CHAPTER 35**

AN ACT

SB 1575

Relating to disorderly conduct in the second degree; amending ORS 166.025; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 166.025 is amended to read:

166.025. (1) A person commits the crime of disorderly conduct in the second degree if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, the person:

(a) Engages in fighting or in violent, tumultuous or threatening behavior;

(b) Makes unreasonable noise;

(c) Disturbs any lawful assembly of persons without lawful authority;

(d) Obstructs vehicular or pedestrian traffic on a public way;

*[(e) Congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse;]*

*[(f)] (e)* Initiates or circulates a report, knowing it to be false, concerning an alleged or impending

fire, explosion, crime, catastrophe or other emergency; or

*[(g)] (f)* Creates a hazardous or physically offensive condition by any act which the person is not licensed or privileged to do.

(2)(a) Disorderly conduct in the second degree is a Class B misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, disorderly conduct in the second degree is a Class A misdemeanor if the crime is committed within 200 feet of the real property on which the person knows a funeral service is being conducted.

(3) As used in this section, "funeral service" means a burial or other memorial service for a deceased person.

**SECTION 2.** This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Approved by the Governor March 5, 2012

Filed in the office of Secretary of State March 5, 2012

Effective date March 5, 2012