

Part 1 Breaches of the Peace and Related Offenses

76-9-101 Riot -- Penalties.

- (1) An individual is guilty of riot if the individual:
 - (a) simultaneously with two or more other individuals engages in violent conduct, knowingly or recklessly creating a substantial risk of causing public alarm;
 - (b) assembles with two or more other individuals with the purpose of engaging, soon thereafter, in violent conduct, knowing, that two or more other individuals in the assembly have the same purpose; or
 - (c) assembles with two or more other individuals with the purpose of committing an offense against a person, or the property of another person who the individual supposes to be guilty of a violation of law, believing that two or more other individuals in the assembly have the same purpose.
- (2) Any individual who refuses to comply with a lawful order to withdraw prior to, during, or immediately following a violation of Subsection (1) is guilty of riot. It is no defense to a prosecution under this Subsection (2) that withdrawal must take place over private property; provided, however, that an individual who withdraws in compliance with an order to withdraw may not incur criminal or civil liability by virtue of acts reasonably necessary to accomplish the withdrawal.
- (3) Except as provided in Subsection (4), riot is a class B misdemeanor.
- (4) Riot is a third degree felony if, in the course of the conduct:
 - (a) the individual causes substantial or serious bodily injury;
 - (b) the individual causes substantial property damage or commits arson; or
 - (c) the individual was in possession of a dangerous weapon as defined in Section 76-1-101.5.
- (5) An individual arrested for a violation of Subsection (4) may not be released from custody before the individual appears before a magistrate or a judge.
- (6) The court shall order a defendant convicted under Subsection (4) to pay restitution in accordance with Section 77-38b-205.

Amended by Chapter 181, 2022 General Session

76-9-102 Disorderly conduct.

- (1) As used in this section:
 - (a) "Official meeting" means:
 - (i) a meeting, as defined in Section 52-4-103;
 - (ii) a meeting of the Legislature, the Utah Senate, the Utah House of Representatives, a legislative caucus, or any committee, task force, working group, or other organization in the state legislative branch; or
 - (iii) a meeting of an entity created by the Utah Constitution, Utah Code, Utah administrative rule, legislative rule, or a written rule or policy of the Legislative Management Committee.
 - (b) "Public place" means a place to which the public or a substantial group of the public has access, including:
 - (i) streets or highways; and
 - (ii) the common areas of schools, hospitals, apartment houses, office buildings, public buildings, public facilities, transport facilities, and shops.
- (2) An individual is guilty of disorderly conduct if:

- (a) the individual refuses to comply with the lawful order of a law enforcement officer to move from a public place or an official meeting, or knowingly creates a hazardous or physically offensive condition, by any act that serves no legitimate purpose; or
- (b) intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk of public inconvenience, annoyance, or alarm, the person:
 - (i) engages in fighting or in violent, tumultuous, or threatening behavior;
 - (ii) makes unreasonable noises in a public place or an official meeting;
 - (iii) makes unreasonable noises in a private place which can be heard in a public place or an official meeting; or
 - (iv) obstructs vehicular or pedestrian traffic in a public place or an official meeting.
- (3) The mere carrying or possession of a holstered or encased firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the holstered or encased firearm was carried or possessed with criminal intent, does not constitute a violation of this section. Nothing in this Subsection (3) may limit or prohibit a law enforcement officer from approaching or engaging any person in a voluntary conversation.
- (4) An individual who violates this section is guilty of:
 - (a) except as provided in Subsection (4)(b), (c), or (d), an infraction;
 - (b) except as provided in Subsection (4)(c) or (d), a class C misdemeanor, if the violation occurs after the individual has been asked to cease conduct prohibited under this section;
 - (c) except as provided in Subsection (4)(d), a class B misdemeanor, if:
 - (i) the violation occurs after the individual has been asked to cease conduct prohibited under this section; and
 - (ii) within five years before the day on which the individual violates this section, the individual was previously convicted of a violation of this section; or
 - (d) a class A misdemeanor, if:
 - (i) the violation occurs after the individual has been asked to cease conduct prohibited under this section; and
 - (ii) within five years before the day on which the individual violates this section, the individual was previously convicted of two or more violations of this section.

Amended by Chapter 394, 2020 General Session

76-9-103 Disrupting a meeting or procession.

- (1) A person is guilty of disrupting a meeting or procession if, intending to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action, verbal utterance, or any other means.
- (2) Disrupting a meeting or procession is a class B misdemeanor.

Enacted by Chapter 196, 1973 General Session

76-9-104 Failure to disperse.

- (1) A person is guilty of failure to disperse when he remains at the scene of a riot, disorderly conduct, or an unlawful assembly after having been ordered to disperse by a peace officer.
- (2) This section shall not apply to a person who attempted to but was unable to leave the scene of the riot or unlawful assembly.
- (3) Failure to disperse is a class C misdemeanor.

Enacted by Chapter 196, 1973 General Session

76-9-105 Making a false alarm -- Penalties.

- (1) A person is guilty of making a false alarm if he initiates or circulates a report or warning of any fire, impending bombing, or other crime or catastrophe, knowing that the report or warning is false or baseless and is likely to cause evacuation of any building, place of assembly, or facility of public transport, to cause public inconvenience or alarm or action of any sort by any official or volunteer agency organized to deal with emergencies.
- (2)
 - (a) A person is guilty of a second degree felony if the person makes a false alarm relating to a weapon of mass destruction as defined in Section 76-10-401.
 - (b) A person is guilty of a third degree felony if:
 - (i) the person makes a false alarm alleging on ongoing act or event, or an imminent threat; and
 - (ii) the false alarm causes or threatens to cause bodily harm, serious bodily injury, or death to another person.
 - (c) Making a false alarm other than under Subsection (2)(a) or (b) is a class B misdemeanor.
- (3) In addition to any other penalty authorized by law, a court shall order any person convicted of a felony violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses and losses incurred in responding to the violation, unless the court states on the record the reasons why the court finds the reimbursement would be inappropriate.

Amended by Chapter 462, 2017 General Session

76-9-106 Disrupting the operation of a school.

- (1) A person is guilty of disrupting the operation of a school if the person, after being asked to leave by a school official, remains on school property for the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a public or private school.
- (2) For purposes of this section, "school property" includes property being used by a public or private school for a school function.
- (3) Disrupting the operation of a school is a class B misdemeanor.

Enacted by Chapter 163, 1992 General Session

76-9-107 Unauthorized entry of school bus -- Posting of warning on school buses.

- (1) As used in this section:
 - (a) "Driver" means the driver of the school bus.
 - (b) "School bus" means every publicly or privately owned motor vehicle designed for transporting 10 or more passengers and operated for the transportation of children to or from school or school activities.
- (2) A person is guilty of a class B misdemeanor if the person:
 - (a) enters a school bus with the intent to commit a criminal offense;
 - (b) enters a school bus and disrupts or interferes with the driver; or
 - (c) enters a school bus and refuses to leave the bus after being ordered to leave by the driver and the person:
 - (i) is not a peace officer acting within the scope of his or her authority as a peace officer;
 - (ii) is not authorized by the school district to board the bus as a student or as an individual employed by the school district or volunteering as a participant in a school activity;

- (iii) causes or attempts to cause a disruption or an annoyance to any passenger on the bus; or
 - (iv) is reckless as to whether the person's presence or behavior will cause fear on the part of any passenger on the bus.
- (3) Each school district shall ensure that clearly legible signs be placed on each school bus, next to each entrance to the bus, warning that unauthorized entry of a school bus is a violation of state law.

Enacted by Chapter 186, 2003 General Session

76-9-108 Disrupting a funeral or memorial service.

- (1) As used in this section:
- (a) "Funeral procession" means a procession of two or more motor vehicles where:
 - (i) the operators of the vehicles identify themselves as being part of the procession by having the lamps or lights of the vehicle on and by keeping in close formation with the other vehicles in the procession;
 - (ii) at least one vehicle contains the body or remains of a deceased person being memorialized; and
 - (iii) the vehicles are going to or from a memorial service.
 - (b) "Memorial service" means a wake, funeral, graveside service, burial, or other ceremony or rite held in connection with the burial or cremation of an individual.
 - (c) "Memorial site" means a church, synagogue, mosque, funeral home, mortuary, cemetery, grave site, mausoleum, or other place at which a memorial service is conducted.
 - (d) "Disruptive activity" means:
 - (i) a loud or disruptive oration or speech that is not part of the memorial service;
 - (ii) the display of a placard, banner, poster, flag, or other item that is not part of the memorial service; or
 - (iii) the distribution of any handbill, pamphlet, leaflet, or other written material or other item that is not part of the memorial service.
- (2) A person is guilty of a class B misdemeanor if the person, with intent to disrupt the memorial service, does any of the following during the period beginning 60 minutes immediately before the scheduled commencement of a memorial service and ending 60 minutes after the conclusion of a memorial service:
- (a) obstructs, hinders, impedes, or blocks another person's entry to or exit from the memorial site;
 - (b) obstructs, hinders, impedes, or blocks a funeral procession;
 - (c) makes unreasonable noise; or
 - (d) engages in a disruptive activity within 200 feet of the memorial service.

Enacted by Chapter 46, 2007 General Session

76-9-109 Targeted residential picketing.

- (1) As used in this section:
- (a) "Picketing" means the stationing or posting of one or more individuals to apprise the public, vocally or by standing or marching with signs, banners, sound amplification devices, or other means, of an opinion or a message.
 - (b) "Residence" means any single-family, duplex, or multi-family dwelling unit that is not being used as a targeted occupant's sole place of business or as a place of public meeting.

- (c) "Targeted residential picketing" means picketing, with or without signs, that is specifically directed or focused toward a residence, or one or more occupants of the residence, and that takes place:
 - (i) on that portion of a sidewalk or street in front of the residence, in front of an adjoining residence, or on either side of the targeted residence; or
 - (ii) within 100 feet of the property line of the targeted residence.
- (2) It is unlawful to engage in targeted residential picketing.
- (3) This section does not apply to:
 - (a) an individual picketing at the individual's own residence;
 - (b) the picketing of a meeting place or assembly area commonly used to discuss subjects of general public interest; or
 - (c) general picketing that proceeds through residential neighborhoods or that proceeds past residences.
- (4) It is unlawful to publish, post, disseminate, or disclose an individual's residential address, or other information identifying the specific location of an individual's residence, with the intent to cause another individual to engage in targeted residential picketing.
- (5) Targeted residential picketing is a class B misdemeanor.
- (6) A violation of Subsection (4) is a class B misdemeanor.

Enacted by Chapter 174, 2021 General Session