



# LAWS OF ALASKA

1973

Source

SB 231 am H

Chapter No.

63

## AN ACT

Relating to disorderly conduct; and providing for an effective date.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* Section 1. AS 11.45.030 is repealed and re-enacted to read:

Sec. 11.45.030. DISORDERLY CONDUCT. (a) A person who does any of the following is guilty of disorderly conduct:

(1) in a public place repeatedly or continuously shouts, blows a horn, plays a musical or recording or amplifying instrument, or otherwise generates loud noises intending to disturb or acting with reckless disregard for the peace and privacy of others, or, in a private place, engages in the same conduct with the same intent or reckless disregard, having been informed by another that the conduct is disturbing the peace and privacy of others not in the same place;

(2) in a public place when a criminal offense has occurred, refuses to comply with a lawful order of the police to disperse, or in a private place refuses to comply with an order of the police to leave a premises in which he has neither a right of occupancy nor the express invitation to remain of the person having the right of possession;

(3) in a public or private place challenges another to fight, or engages in fighting other than in self-defense; or

(4) in a public or private place knowingly or recklessly creates a hazardous condition for others by an act which has no legal justification or excuse.

(b) Upon conviction, a person who is guilty of disorderly conduct is punishable by a fine of not more than \$300, or by imprisonment for not more than 10 days, or by both.

(c) In a prosecution under (a)(1) of this section

(1) if the loud noise constitutes speech, the content of speech or evidence of specific words used by the defendant is admissible in evidence against him only as permitted by court rule;

(2) "loud noise" in a public place means noise which is loud enough to inhibit the ability of the average person in the same place to speak freely without leaving the public place;

(3) "loud noise" in a private place means noise which is loud enough to awaken the average person sleeping in a place other than the private place.

(d) In this section a "public place" is a place where the public is permitted to assemble, enter or pass through, whether publicly or privately maintained, including but not limited to places of accommodation, transportation, business and entertainment, or any other place which is not a private place.

\* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.