



February 24, 2017

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## SENATE BILL No. 285

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DIGEST OF SB 285 (Updated February 22, 2017 1:44 pm - DI 87)

**Citations Affected:** IC 36-8.

**Synopsis:** Mass traffic obstruction. Provides that the state police department may assist local law enforcement agencies in ensuring that public streets are open for use by emergency personnel. Makes it a Class C infraction for a person who is a member of an unlawful assembly to commit mass traffic obstruction.

**Effective:** July 1, 2017.

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January 9, 2017, read first time and referred to Committee on Local Government.  
February 23, 2017, amended, reported favorably — Do Pass.

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SB 285—LS 6662/DI 106





February 24, 2017

First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

## SENATE BILL No. 285

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-8-24 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2017]:  
4 **Chapter 24. Duty to Clear Roads**  
5 **Sec. 1. As used in this chapter, "mass traffic obstruction" means**  
6 **an incident in which, as part of (or as the result of) a protest, riot,**  
7 **or other assembly, at least ten (10) persons obstruct vehicular**  
8 **traffic in violation of IC 35-44.1-2-13 (obstruction of traffic).**  
9 **Sec. 2. Every law enforcement agency has the duty to protect the**  
10 **public, including persons engaged in lawful protest, by ensuring**  
11 **that public streets remain open, unobstructed, and clear for use by**  
12 **emergency vehicles and personnel responding to an emergency.**  
13 **Sec. 3. In order to ensure that public streets remain open for use**  
14 **by emergency personnel, the state police department may exercise**  
15 **its jurisdiction under IC 10-11-2-21 to assist the local law**  
16 **enforcement agency.**  
17 **Sec. 4. A person who, being a member of an unlawful assembly**

SB 285—LS 6662/DI 106



- 1 **involving mass traffic obstruction:**
- 2       **(1) engages in tumultuous conduct;**
- 3       **(2) obstructs traffic; or**
- 4       **(3) fails to obey a lawful order to clear a public street;**
- 5 **commits mass traffic obstruction, a Class C infraction.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 285, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "The following definitions apply throughout" and insert "**As used in**".

Page 1, line 5, delete ":" and insert ", **mass**".

Page 1, line 6, delete "(1) **Mass**".

Page 1, run in lines 5 through 6.

Page 1, delete lines 10 through 17, begin a new paragraph and insert:

**"Sec. 2. Every law enforcement agency has the duty to protect the public, including persons engaged in lawful protest, by ensuring that public streets remain open, unobstructed, and clear for use by emergency vehicles and personnel responding to an emergency.**

**Sec. 3. In order to ensure that public streets remain open for use by emergency personnel, the state police department may exercise its jurisdiction under IC 10-11-2-21 to assist the local law enforcement agency.**

**Sec. 4. A person who, being a member of an unlawful assembly involving mass traffic obstruction:**

**(1) engages in tumultuous conduct;**

**(2) obstructs traffic; or**

**(3) fails to obey a lawful order to clear a public street;**

**commits mass traffic obstruction, a Class C infraction."**

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 285 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 5, Nays 1.

