

# Bills Similar to Ohio Senate Bill 250 and their status

## Alabama

### **HB 94: Felony charges for disruptive protesters**

Would make it a felony for a person to do something illegal to prevent "or attempt to prevent" a public speaking event. Accordingly, a protester who disrupts a public speech while committing another infraction (e.g. trespassing) could be charged with a Class B felony, punishable by up to 20 years in prison. Critics argue that the bill provides for disproportionately harsh penalties, and that its broad language would enable authorities to enforce it selectively. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 9 Jan 2018.**

## Arizona

### **SB 1033: Felony penalty for protesters who conceal their identity**

Would heighten the penalties for an individual convicted of participating in an unlawful assembly or a riot, if the individual "obscures or hides the person's identity with a mask, disguise, makeup, or other device" during the event. Under the bill, conviction for unlawful assembly (a Class 1 misdemeanor) would become a Class 6 felony if committed while wearing a mask, punishable by up to two years in prison. Conviction for riot (a Class 5 felony) would become a Class 4 felony if committed while wearing a mask and subject to up to four years in prison. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 13 Dec 2017.**

**Issue(s): face coverings, riot**

## Arizona

### **SB 1142: Expanded definition of "riot"**

Would have substantially broadened the definition of "riot," from the reckless use or threat of force that disturbs the public peace, to such use or threat of force that either disturbs the public peace or causes property damage. Under the bill, organizers and protesters could be charged as conspirators, and bystanders could be held liable if they witness someone declare an intention to start a riot. The bill also adds "riot" to the list of offenses included under racketeering law, such that participating in or being near a riot could lead to prosecution on felony racketeering charges. The bill provides that prosecutors may seize a person's assets under civil forfeiture laws in addition to filing enhanced felony criminal charges. After the bill's approval by the Arizona Senate on February 22, 2017, the House of Representatives rejected the bill. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 19 Jan 2017; Approved by Senate on 22 Feb 2017; House consideration denied 28 Feb 2017**

**Issue(s): conspiracy, riot**

## Arizona

### **HB 2007: Harsh penalties for protesters who conceal their identity**

\*\*HB 2007 was signed into law following amendments that removed the most restrictive provisions.\*\* As originally introduced in the House, the bill made it a felony to wear any kind of disguise at a protest. The introduced bill broadly prohibited disguises, "whether partial or complete," that an individual wore at a protest, political event, or any other public event in order "to evade or escape discovery, recognition or identification." Under the introduced bill, police would have had authority to detain any individual wearing a disguise in order to verify his or her identity and determine if the person had committed a crime; violation of the disguise ban would have been a Class 6 felony, subject to one year in prison. The sponsor of the bill said it was inspired by clashes between police and protesters, some of whom were masked, outside a 2017 rally for President Trump. Following widespread criticism, the bill was comprehensively revised to a single provision that would allow

courts to consider it an aggravating factor, for sentencing purposes, if an individual wore a mask or other disguise to hide their face while committing a criminal offense. ([See full text of bill here](#))

**Status: enacted with improvements**

**Introduced 21 Nov 2017; Governor Ducey signed it 23 March 2018 but the most problematic provisions were defeated.**

**Issue(s): face coverings**

## Arkansas

### **[AB 550](#): Criminalizing “unlawful mass picketing”**

Would have introduced a new crime, “unlawful mass picketing.” Under the bill, picketing or demonstrating near a private establishment, business, or school would be illegal if it obstructs the entrance to a place of employment or blocks use of roads, railways, or airports. Commission of unlawful mass picketing would be a Class A misdemeanor, subject to up to a year in jail and a fine of up to \$2,500. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 2 Mar 2017; Approved by Senate 13 March 2017; Approved by House 29 March 2017; Vetoed by Governor Hutchinson 6 April 2017**

**Issue(s): traffic interference**

## Colorado

### **[SB18-264](#): Barring teachers from protesting in support of a teachers' strike**

Would have prohibited public school teachers from participating in protests that supported a teachers' strike. The bill broadly bans all public school teachers from “directly or indirectly” “inducing, instigating,” or “encouraging” a strike “against any public school employer.” Accordingly, teachers that were not participating in a strike could be barred from participating in a protest or demonstration deemed to “indirectly” “encourage[]” the strike, even outside of school hours. The bill provides that any teacher who is “convicted of violating” the bill’s provisions, including its ban on direct or indirect support of strikes, is to be “immediately terminated[]” by their public school employer; that he or she is not entitled to a hearing or judicial review of the termination; and that he or she is barred from public school employment for one year following termination. Lawmakers introduced the bill as teachers across the state threatened to go on strike for higher wages and increased education funding. After the bill received immediate, widespread criticism in the days following its introduction, a Senate committee voted to postpone it indefinitely, and its sponsors said they would withdraw it. ([See full text of bill here](#))’

**Status: defeated / expired**

**Introduced 20 Apr 2018.**

**Issue(s): strikes**

## Colorado

### **[SB 17-035](#): Heightened penalties for protesting near oil and gas equipment**

Would have substantially increased penalties for environmental protesters. Under the bill, obstructing or tampering with oil and gas equipment is reclassified from a misdemeanor to a Class 6 felony, punishable by up to 18 months in prison and a fine of up to \$100,000. The bill’s language broadly includes anyone who “attempts to alter, obstruct, interrupt, or interfere with the action of any equipment used or associated with oil or gas gathering operations.” In addition to imposing much steeper penalties on anyone engaging in such activity, the bill also provides that oil and gas firms (or any other “victim” of tampering) may pursue separate claims against a protester who is also being prosecuted by the state. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 11 Jan 2017; Approved by Senate 28 March 2017; Failed in House committee 12 April 2017**

**Issue(s): infrastructure**

## Florida

### **[EXECUTIVE ORDER 17-264](#): Declaring a state of emergency ahead of Richard Spencer speech**

Declares a state of emergency ahead of expected protests of a speech by white nationalist Richard Spencer at the University of Florida in Gainesville. Governor Scott's order cites earlier protests and counter-protests triggered by Mr. Spencer at other universities, as well as requests from local law enforcement for additional resources to support expanded security measures ahead of Mr. Spencer's speech. Among other things, the executive order activates the Florida National Guard, allows for the closure of affected government buildings and facilities, and authorizes a waiver of certain budget restrictions to fund the emergency response. The order establishes a state of emergency in Alachua County for seven days, until October 23, 2017. ([See full text of bill here](#))

**Status: enacted**

**Introduced 16 Oct 2017; Effective until 23 Oct 2017**

**Issue(s): state of emergency**

## Florida

### **[SB 1096/HB 1419](#): Eliminating driver liability for hitting protesters**

Would have criminalized the obstruction of traffic during an unpermitted protest or demonstration as a second degree misdemeanor, punishable by up to 60 days in prison and a \$500 fine. The bill also eliminates civil liability for a driver who unintentionally injures or kills a protestor interfering with traffic during an unpermitted protest or demonstration. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 21 Feb 2017; Introduced 7 March 2017 in House; Failed in Senate committee 8 May 2017**

**Issue(s): driver immunity, traffic interference**

## Georgia

### **[SB 160](#): Heightened penalties for blocking traffic**

As introduced and passed by the Georgia Senate, the "Back the Badge" bill included heightened penalties for intentionally or recklessly blocking "any highway, street, sidewalk, or other passage." Accordingly, protesters and demonstrators peacefully obstructing a public sidewalk could have been charged with a misdemeanor of a high and aggravated nature, which under Georgia law is subject to up to a \$5,000 fine or up to one year in jail. These provisions were removed, however, in the version of the bill approved by the House of Representatives and sent to the Governor on April 10, 2017. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 10 Apr 2017; Approved by Senate 24 Feb 2017; Approved by House 24 March 2017 without protest provisions**

**Issue(s): traffic interference**

## Georgia

### **[SB 1](#): Expanding definition of "domestic terrorism"**

Would have broadened the definition of "domestic terrorism" under Georgia law to potentially include demonstrations, boycotts, and other forms of protest and political expression. Under the bill, the previously high bar for committing domestic terrorism – harm caused to a group of 10 or more individuals – is lowered to include causing harm to at least one individual or disabling "critical infrastructure." The new target, "critical

infrastructure” is in turn very broadly defined to include “public or private systems, functions or assets, whether physical or virtual, vital to the security, governance, public health and safety, economy, or morale of this state or the United States.” The bill also introduces a new provision targeting actions that have a political or ideological component, such that domestic terrorism would include an action intended to advance “any ideology or belief,” whether held individually or as part of a group. Commission of domestic terrorism as defined by the bill would be a felony punishable by prison sentences ranging from five years to life. Given the broad language of the bill and extreme penalties involved, rights leaders feared that it was aimed to monitor, punish, and chill free speech activities including protests. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 10 Jan 2017; Approved by Senate 1 March 2017; Failed in House 28 March 2017**

**Issue(s): infrastructure, terrorism**

## **Georgia**

### **[SB 339](#): Mandatory sanctions for campus protesters**

\*\*SB 339 was signed into law following amendments that removed the most restrictive provisions.\*\* As originally introduced, Senate Bill 339 would have created mandatory disciplinary sanctions that could be applied to peaceful protesters on college and university campuses. The introduced bill required public universities and community colleges to adopt a policy prohibiting and subjecting to sanction individuals involved in “protests or demonstrations that infringe upon the rights of others to engage in or listen to expressive activity” on campus. Additionally, the introduced bill required administrators to suspend for at least one year or expel any student who was twice “found responsible for infringing on the expressive rights of others,” such as through a protest of a campus speaker. Amendments to the bill removed the provisions related to specific sanctions, prior to the bill's passage by the Senate. ([See full text of bill here](#))

**Status: enacted with improvements**

**Introduced 19 Jan 2018; Governor Deal signed it 8 May 2018**

**Issue(s): campus speech**

## **Illinois**

### **[HB 2939](#): Mandatory sanctions for campus protesters**

Would create mandatory disciplinary sanctions that could be applied to peaceful protesters on college and university campuses. The bill requires public universities and community colleges to adopt a policy prohibiting and subjecting to sanction any “protests or demonstrations that infringe upon the rights of others to engage in or listen to expressive activity” on campus. Additionally, the bill requires administrators to suspend for at least one year or expel any student who is twice “found responsible for infringing on the expressive rights of others,” such as through a protest of a campus speaker. ([See full text of bill here](#))

**Status: pending**

**Introduced 9 Feb 2017.**

**Issue(s): campus speech**

## **Indiana**

### **[SB 285](#): Heightened police response to protests that block traffic**

As introduced, the bill would have allowed law enforcement officials to use “any means necessary” to break up public assemblies that obstructed traffic. The bill defines “mass traffic obstruction” as an obstruction of street or highway traffic by at least 10 people as part or result of a protest, riot, or other assembly. It provides that public officials were obliged within 15 minutes of learning of a mass traffic obstruction to dispatch all available law enforcement with directions to “use any means necessary” to clear the roads of the persons obstructing traffic. After extensive committee amendments softening the bill, the Indiana Senate voted on February 27, 2017 effectively to vacate it and instead create a study committee to examine what constitutes a “reasonable response” to mass traffic obstruction. ([See full text of bill here](#))

**Status: defeated / expired**

Introduced 9 Jan 2017; Amended in committee 23 Feb 2017; Effectively vacated 27 Feb 2017

Issue(s): police response, traffic interference

## Iowa

### **[SF 2222](#): Heightened penalties for protesters who block traffic**

Would prohibit persons from standing on Iowa highways with the intention of blocking traffic. The bill, which sponsors say is designed to target disruptive highway protests, provides that a person "shall not loiter, or place or cause to be placed any obstruction" on a highway "with the intention of blocking the normal and reasonable movement of motor vehicle traffic." Individuals who do so may be charged with a serious misdemeanor, punishable by up to a year in jail and a \$1,875 fine. A second offense is an aggravated misdemeanor, punishable by up to two years' imprisonment and a \$6,250 fine; a third offense is a Class D felony punishable by up to five years in prison and a \$7,500 fine. The bill was originally introduced in March 2017 as SF 426. ([See full text of bill here](#))

Status: defeated / expired

Introduced 2 Mar 2017.

Issue(s): traffic interference

## Kentucky

### **[HB 53](#): Eliminating driver liability for hitting protesters**

Would eliminate all liability for drivers who injure or kill a protester who is blocking traffic. The bill creates a new Class A misdemeanor, punishable by up to one year in jail, for interfering with traffic on a public road during a protest for which a permit has not been granted. Under the bill, a motorist who injures or kills an individual who is interfering with traffic during such an event cannot be held criminally or civilly liable, unless the action was intentional. The bill, prefiled as BR 305 on October 24, 2017, also prohibits the wearing of face coverings and bearing of weapons near a public protest. ([See full text of bill here](#))

Status: defeated / expired

Introduced 2 Jan 2018.

Issue(s): driver immunity, face coverings, weapons

## Kentucky

### **[BR 175](#): Criminalizing face coverings and weapons near protests**

Would create new penalties for wearing masks or protective gear, or carrying a weapon near a public protest. According to the prefiled bill, an individual within 500 feet of a protest may not wear a mask, hood, helmet, or other facade that "covers any portion of his or her face." Likewise, individuals within 500 feet of a protest may not wear protective gear such as shields or armor, nor carry a deadly or dangerous weapon. Under the bill, commission of either act comprises "disruption of a public protest," punishable as a Class A misdemeanor with up to twelve months in jail and a \$500 fine. BR 175 was ultimately withdrawn, but its provisions on "disruption of a public protest" were included in HB 53 at the beginning of the 2018 legislative session. ([See full text of bill here](#))

Status: defeated / expired

Introduced 24 Aug 2017.

Issue(s): face coverings, weapons

## Louisiana

### **[HB 727](#): Heightened penalties for protesting near a pipeline**

Targets protests around gas and oil pipelines by expanding the definition of "critical infrastructure" and providing for the offense of "unauthorized entry of a critical infrastructure." Under the law, "critical infrastructure" is amended to include "pipelines," "any site where the construction or improvement of [pipelines or any other listed infrastructure facility] is taking place," as well as "all structures, equipment, or other

immovable or movable property located within or upon" such facilities. Unauthorized entry onto critical infrastructure property as defined above is punishable by imprisonment with or without hard labor for up to five years and a fine of \$1,000. As originally introduced, the law included a new crime of "conspiracy to engage in unauthorized entry" of a critical infrastructure facility, punishable by imprisonment with or without hard labor for up to five years and a fine of \$10,000, such that individuals who only planned to hold a peaceful protest on infrastructure property could be prosecuted. The amended and enacted version of the bill removed the provisions on conspiracy, however. In addition, prior to the law's enactment, provisions were added to mandate that the law would not apply to "[

]lawful assembly and peaceful and orderly petition, picketing, or demonstration for the redress of grievances or to express ideas or views regarding legitimate matters of public interest." ([See full text of bill here](#))

**Status: enacted**

**Introduced 26 Mar 2018; Approved by House 12 April 2018; Approved by the Senate 8 May 2018; Signed into law by Governor Edwards 30 May 2018**

**Issue(s): infrastructure, trespass**

**Louisiana**

**[HB 269](#): Mandatory sanctions for campus protesters**

Would have created mandatory disciplinary sanctions that could be applied to peaceful protesters on college and university campuses. The bill prohibits "protests and demonstrations that infringe upon the rights of others to engage in or listen to expressive activity" on college campuses. In addition, the bill requires public colleges to suspend for at least one year or expel any student found responsible for infringing the expressive rights of others, including by protesting. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 30 Mar 2017; Vetoed by Governor Edwards 27 June 2017**

**Issue(s): campus speech**

**Massachusetts**

**[HB 916](#): New penalties for protesters who block traffic**

Would provide for harsh new penalties for individuals who impede traffic in the course of a protest or demonstration. The bill creates a broad offense of intentionally blocking, obstructing, impeding or otherwise interfering with the "normal and reasonable movement of vehicular or pedestrian traffic" on a public street or highway, punishable by up to \$5,000 and a year in jail. Under the bill, police may arrest without a warrant any person they have probable cause to believe has unlawfully impeded traffic. The bill further makes any person convicted of unlawfully impeding traffic liable for the costs incurred by public and/or private emergency services in responding to the incident. ([See full text of bill here](#))

**Status: pending**

**Introduced 30 Jun 2017.**

**Issue(s): security costs, traffic interference**

**Michigan**

**[SB 350](#): Mandatory sanctions for campus protesters**

Would create mandatory disciplinary sanctions that could be applied to peaceful protesters on college and university campuses. The bill requires community and public colleges to prohibit and subject to sanction any "protests or demonstrations that infringe upon the rights of others to engage in or listen to expressive activity" on campus. The bill requires that college administrators suspend for at least one year or expel any student who is twice "found responsible for infringing on the expressive rights of others," for instance through a protest or demonstration. ([See full text of bill here](#))

**Status: pending**

**Introduced 2 May 2017.**

Issue(s): campus speech

## Michigan

### **HB 4643: Heightened penalties for picketing and protesting**

Would have dramatically increased penalties for picketing and protesting, and made it easier for a court to order that a demonstration cease. Under the bill, individuals who return to a disruptive demonstration already blocked by a court would face fines of up to \$1,000 per day, with unions or other groups liable to up to \$10,000 per day. The bill allows employers or others affected by mass picketing to bring an action against the demonstrators in local circuit court. It also lowers the threshold required for a court to order picketers and protesters to stop demonstrating. Under the bill, employers can obtain injunctive relief in some cases. ([See full text of bill here](#))

Status: defeated / expired

Introduced 29 Nov 2016; Failed in committee

## Minnesota

### **SF 3463: New penalties for "critical infrastructure" protesters and their supporters**

Would have created new civil liability for protesters on infrastructure property, as well as vicarious liability for any individual or organization who supported them. The bill would make someone who trespasses on property containing a "critical public service facility, utility, or pipeline" liable for any damages to persons or property, and any person or entity that "recruits, trains, aids, advises, hires, counsels, or conspires with them" vicariously liable for such damages. Under Minnesota law, a person who trespasses on infrastructure property is guilty of a gross misdemeanor; the bill would make anyone who "recruits, trains, aids, advises, hires, counsels, or conspires with" a trespasser likewise guilty of a gross misdemeanor, which is punishable by one year in jail and a \$3,000 fine. If the person trespasses "with the intent to significantly disrupt the operation of or the provision of services" by the facility, the bill would make anyone who "recruits, trains, aids, advises, hires, counsels, or conspires with" the trespasser guilty of a felony and subject to 10 years in prison and a \$20,000 fine. The phrase "significantly disrupt" could be construed to encompass peaceful protests that block access to infrastructure, for instance, which under Minnesota law is broadly defined to include bus stations and bridges. The broad terms used in the vicarious liability provisions could even be construed to include aiding a protester by providing them with water or medical assistance. ([See full text of bill here](#))

Status: defeated / expired

Introduced 12 Mar 2018; Approved by Senate 7 May 2018; Approved by House 19 May 2018; Vetoed by Governor Dayton 30 May 2018

Issue(s): damage costs, conspiracy, infrastructure, trespass

## Minnesota

### **HF 1066/SF 918: Heightened penalties for protesters who block traffic**

Would heighten penalties for any individual who "interferes with, obstructs, or renders dangerous for passage" any public highway or any right-of-way within airport property. According to the bill, such interference or obstruction is classified as a public nuisance and a gross misdemeanor, punishable by a \$3,000 fine and one year of jail time. ([See full text of bill here](#))

Status: defeated / expired

Introduced 9 Feb 2017.

Issue(s): traffic interference

## Minnesota

### **HF 896/SF 803: Heightened penalties for protesters who block traffic**

Would have increased penalties for protestors who intentionally obstruct highway or public roadway access to airports. Under the bill, such obstruction is classified as a gross misdemeanor rather than a misdemeanor. The bill, an omnibus public safety measure, incorporates language from two previously proposed bills aimed at heightening penalties on protestors. It would have allowed prosecutors to seek a \$3,000 fine and one year of jail time for protestors intentionally blocking or interfering with traffic on a highway or public roadway within the boundaries of airport property. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 9 Feb 2017; Vetoed by Governor Dayton 15 May 2017**

**Issue(s): traffic interference**

## **Minnesota**

### **[HF 322/SF 679](#): Charging protestors for the cost of responding to a protest**

Would allow the state to sue protestors and charge them for the costs of policing a public assembly. The bill gives state agencies, cities, and counties the authority to bring civil lawsuits against people convicted of unlawful assembly or public nuisance. The lawsuits could seek the full cost of responding to the unlawful assembly, including officer time, law enforcement helicopters, and administrative expenses. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 2 Feb 2017.**

**Issue(s): security costs**

## **Minnesota**

### **[HF 390](#): Heightened penalties for protestors who block traffic**

Would have increased penalties for protestors who intentionally obstruct highways or public roadway access to airports, or interfered with a transit operator. Under the bill, the offense of highway or airport access obstruction would have been a gross misdemeanor rather than a misdemeanor, punishable by a \$3,000 fine and one year in jail. Provisions added to the bill during the 2018 session would have added the offense of "unlawful interference with a transit operator" and broadened it to include any act that "restricts passenger access to the transit vehicle;" penalties for the offense would likewise be increased to a \$3,000 fine and one year in jail. In his message vetoing the bill, Governor Dayton cited the bill's vague provisions as well as the fact that the offenses were already prohibited and subject to sufficient sanctions under Minnesota law. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 23 Jan 2017; Approved by House 8 May 2018; Approved by Senate 14 May 2018; Vetoed by Governor Dayton 19 May 2018**

**Issue(s): traffic interference**

## **Mississippi**

### **[SB 2730](#): New penalties for protestors who block traffic**

Would have created the felony crime of "maliciously impeding traffic on a public road." The obstructing of a public road or highway by a person "sitting, standing, or lying" would be punishable by a five-year prison sentence or a fine of up to \$10,000, or both. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 16 Jan 2017; Failed in senate committee 31 Jan 2017**

**Issue(s): traffic interference**

## **Missouri**

### **[HB 1413](#): Limiting public employees' ability to picket**

Bars certain public employees from picketing. The law requires that all labor agreements negotiated between a "public body" and a labor organization "shall expressly prohibit all strikes and picketing of any kind." The law further mandates that such agreements provide for the "immediate termination" of "any public employee who...pickets over any personnel matter." "Public body" is broadly defined in the law to include "the state of



Missouri, or any officer, agency, department, bureau, division, board or commission of the state, or any other political subdivision or special district of or within the state"; accordingly, the law may apply to many labor agreements. While "picketing" is not defined under the law, Missouri Code elsewhere refers to "picketing or other organized protests" as "constitutionally protected activity," indicating that picketing as used in HB 1413 includes protests and demonstrations unrelated to labor strikes. ([See full text of bill here](#))

**Status: enacted**

**Introduced 3 Jan 2018; Approved by House 12 February 2018; approved by Senate 16 May 2018; Signed by Governor Greitens 1 June 2018**

**Issue(s): strikes**

**Missouri**

**[HB 2423](#): Mandatory sanctions for campus protesters**

Would expand the state's 2015 "Campus Free Expression Act," which banned so-called campus "free speech zones," to include provisions requiring universities to impose specific, mandatory penalties on certain campus protesters. The bill provides that any student who is twice found responsible for "infringing upon the expressive rights of others" should be suspended for at least one year or expelled. The bill also calls for a "range of disciplinary sanctions" to be imposed on anyone under the university's jurisdiction who "materially and substantially interferes with the free expression of others." ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 8 Feb 2018.**

**Issue(s): campus speech**

**Missouri**

**[HB 2145](#): Expanded definition for "unlawful assembly" and new penalties for protesters who block traffic**

Would broadly define an "unlawful assembly" as two or more people who meet "for the purpose of violating any of the criminal laws" of Missouri or the U.S. The bill also creates a new crime of "unlawful traffic interference" that encompasses walking, sitting, standing, lying down, or placing an object on any public roadway with the intention of impeding traffic. The bill provides that commission of "unlawful traffic interference" while participating in an "unlawful assembly" is a Class D felony, which is subject to up to seven years in prison. The bill was originally introduced on February 2, 2017 as HB 826. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 17 Jan 2018.**

**Issue(s): traffic interference**

**Missouri**

**[SB 813](#): Heightened penalties for protesters who block highways**

Would impose steeper penalties, including jail time, for protesters who block highways or emergency medical vehicles. The bill makes the offense of "peace disturbance" by obstructing traffic--already a Class B misdemeanor under Missouri law--a Class A misdemeanor on first offense if occurring on an interstate highway or thruway of an emergency medical services vehicle. Commission of the offense is subject to an automatic fine of up to \$5,000 or 7-30 days in jail. The bill would also make offenders civilly liable to any person harmed, for monetary damages. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 3 Jan 2018.**

**Issue(s): traffic interference**

**Missouri**

**[HB 1259](#): Heightened penalties for blocking traffic**

Would criminalize protests that block traffic as "unlawful traffic interference" and provide for harsh penalties. Under the bill, a person's intentional blocking of traffic on a public street or highway, whether with her body or an object, is a Class A misdemeanor punishable by up to a year in jail and a \$1,000 fine. If the offense is repeated, or takes place on an interstate highway, it may be charged as a Class E felony. If the offense is

committed while the person is part of an "unlawful assembly" (defined as "two or more persons who meet for the purpose of violating any of the criminal laws" of Missouri or the US), it is a Class D felony, punishable by up to four years in prison and a \$5,000 fine. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 1 Dec 2017.**

**Issue(s): traffic interference**

**Missouri**

### **HB 179: New penalties for protesters who conceal their identity**

Would criminalize intentionally concealing one's identity while participating in an "unlawful assembly" or rioting. Under the bill, a person who intentionally conceals his or her identity "by the means of a robe, mask, or other disguise" while engaged in an unlawful assembly could be charged with a Class A misdemeanor, punishable by up to a year in jail. The bill exempts identity-concealing coverings for the purposes of religion, safety, or medical needs. The Missouri legislature's website indicates that wearing a "hood" would also be included in criminalized coverings, although this language does not appear in the current wording of the bill. The bill expired with the end of the 2017 legislative session. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 4 Jan 2017.**

**Issue(s): face coverings**

**New Jersey**

### **AB 4777: Expanded definition of "riot"**

Would expand the definition of "riot" to include group conduct that damages property. Under the bill, an individual's participation in "disorderly conduct" with four or more people that results in property damage or monetary loss would constitute a riot. The bill provides that, if such damage or loss is greater than \$2,000, the offense is a third-degree crime, punishable by three to five years in prison and a fine of up to \$15,000. Further, the bill would require that an individual convicted of riot under the new provision would have to reimburse the individual property owner or the state of New Jersey for damages incurred as a result of the riot. The bill expired with the end of the 2017 legislative session. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 11 May 2017.**

**Issue(s): damage costs, riot**

**North Carolina**

### **HB 330: Eliminating driver liability for hitting protesters**

Would eliminate civil liability for the driver of an automobile who hits or otherwise injures a person participating in a protest or demonstration, if the person was blocking traffic in a public street or highway and did not have a permit to do so, and if the driver was exercising "due care." Civil liability is still available to the injured party if the driver acted intentionally. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 13 Mar 2017; Approved by House 27 April**

**Issue(s): driver immunity**

**North Carolina**

### **SB 229: Heightened penalties for threats against former officials**

Would substantially increase penalties for threats and assaults against former North Carolina officials on account of the official's performance. The bill extends by one year the term of office of former executive, legislative, and court officials for the purpose of criminal provisions related to assaults and threats made against officials that are in office. Accordingly, threatening to inflict serious injury on a former official would be classified as a Class I felony – rather than a misdemeanor – for a period of one year after the official's term in office. The offense would be subject to up to two years in prison. The bill was sponsored by State Senator Dan Bishop, who had pledged to introduce such legislation after an incident over Inauguration weekend in which

protesters shouted at a former North Carolina governor, Pat McCrory, in Washington, D.C. ([See full text of bill here](#))

**Status: defeated / expired**  
**Introduced 9 Mar 2017.**

### **North Carolina**

#### **HB 249: Criminalizing certain protests as “economic terrorism”**

Would have targeted protests that obstruct roadways by newly criminalizing “economic terrorism,” defined as the willful or reckless commission of a criminal offense that impedes or disrupts the regular course of business and results in damages of over \$1,000. Per the bill, commission of economic terrorism is a Class H felony, punishable by 4 to 25 months in prison. The bill also makes an individual participant civilly liable for the costs incurred by the state in responding to an unlawful assembly, riot, or obstruction of traffic (e.g., during a protest); the individual could be charged in a civil action for related legal, administrative, and court costs as well. Criminal penalties are heightened for individuals who obstruct traffic by standing, sitting, or lying in a street or highway, as well as for those who remain at the scene of a riot or unlawful assembly after being warned to disperse; under the bill, both are punishable by up to 150 days in jail and a discretionary fine. ([See full text of bill here](#))

**Status: defeated / expired**  
**Introduced 2 Mar 2017; Failed in committee 25 April 2017**  
**Issue(s): security costs, terrorism, traffic interference**

### **North Dakota**

#### **EXECUTIVE ORDER 2017-01: Mandatory evacuation of Dakota Access Pipeline protest camp**

Orders the emergency evacuation of the Oceti Sakowin protest camp where opponents of the Dakota Access Pipeline had been camped for several months. The order cites safety concerns as well as potential environmental damage due to “the presence of accumulated waste, abandoned vehicles and unlawful temporary and permanent dwelling structures in this flood-prone area” as grounds for the eviction. Under the order, all persons “occupying or residing in the evacuation area” had one week to leave. ([See full text of bill here](#))

**Status: enacted**  
**Introduced 15 Feb 2017; Issued 15 Feb 2017**

### **North Dakota**

#### **HB 1426: Heightened penalties for riot offences**

Increases the penalties imposed for riot offenses. Under the law, participation in a riot is a Class A rather than Class B misdemeanor, punishable by up to one year in prison and a \$3,000 fine. Engaging in a riot involving more than 100 people is made a Class B felony, subject to 10 years in prison and a \$20,000 fine. ([See full text of bill here](#))

**Status: enacted**  
**Introduced 16 Jan 2017; Governor Burgum signed the law on 23 Feb 2017**  
**Issue(s): riot**

### **North Dakota**

#### **HB 1293: Expanded scope of criminal trespass**

Expands the scope of criminal trespass activity under state law such that it could encompass protests, demonstrations, or other gatherings on private property, if notice against trespass is “clear from the circumstances.” The offense could be punishable by up to 30 days in jail and a \$1,500 fine. The law also creates an additional, noncriminal trespass offense and allows officers to issue a citation with a \$250 fine for trespassing. Governor Burgum signed the law on February 23, 2017. ([See full text of bill here](#))

**Status: enacted**

**Introduced 12 Jan 2017; Signed into law 23 Feb 2017**

**Issue(s): trespass**

North Dakota

**[HB 1304](#): New penalties for protesters who conceal their identity**

Prohibits the wearing of masks, hoods, or other device that “conceals any portion” of an individual’s face while committing a criminal offense, in order to avoid recognition or identification. As drafted, the offense could encompass, e.g., individuals wearing hooded clothing while participating in a protest and also committing a minor offense such as jaywalking. Under the law, commission of the offense comprises a Class A misdemeanor, punishable by up to one year in jail and a \$3,000 fine. ([See full text of bill here](#))

**Status: enacted**

**Introduced 12 Jan 2017; Governor Burgum signed it 23 Feb 2017**

**Issue(s): face coverings**

North Dakota

**[HB 1203](#): Eliminating driver liability for hitting protesters**

Would have eliminated the liability of a motorist who causes “injury or death to an individual obstructing vehicular traffic on a public road, street, or highway,” as long as the motorist did so unintentionally. Under the bill, such a motorist would not be liable for any damages nor guilty of an offense. Accordingly, the bill would allow motorists to strike and even kill protesters without liability as long as the collision was negligent or accidental. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 16 Jan 2017; Failed in House on 13 Feb 2017**

**Issue(s): driver immunity, traffic interference**

Ohio

**[SB 250](#): New penalties for protests near "critical infrastructure"**

Would heighten the penalties for protests near oil and gas pipelines and other infrastructure by expanding the definitions of "criminal trespass" and "criminal mischief." Entering and remaining on marked or fenced-off property that contains a "critical infrastructure facility" would be criminal trespass under the bill and could be charged as a first degree misdemeanor, punishable by up to six months in jail and a \$1,000 fine. Doing so with the purpose of tampering with or harming the facility would constitute aggravated trespass, a third degree felony; knowingly tampering with the facility would constitute "criminal mischief" and a first degree felony--punishable by up to ten years in prison and a \$20,000 fine. "Critical infrastructure facility" is expansively defined to encompass oil, gas, electric, water, telecommunications, and railroad facilities among many others. The bill also imposes fines on organizations found to be complicit in the trespass or mischief offenses, and imposes civil liability for damage caused by trespass on a critical infrastructure facility. ([See full text of bill here](#))

**Status: pending**

**Introduced 24 Jan 2018.**

**Issue(s): damage costs, infrastructure, trespass**

Ohio

**[HB 423](#): Harsh penalties for protesters who conceal their identity**

Would broadly prohibit the wearing of masks or other disguises in certain circumstances during protests. The bill criminalizes the wearing of a mask or disguise to intentionally "obstruct the execution of the law," "to intimidate, hinder, or interrupt" a person who is performing a legal duty, or to prevent a person from exercising

rights granted to them by the Constitution or laws of Ohio (such as the right to assemble). Under the bill, commission of "masked intimidation" as defined by any of the above would be a first degree misdemeanor, subject to up to six months in jail and a \$1,000 fine. According to its sponsors, the bill originated out of concerns about violent confrontations caused by masked protesters. ([See full text of bill here](#))

**Status: pending**

**Introduced 21 Nov 2017.**

**Issue(s): face coverings**

## **Oklahoma**

### **[HB 1123](#): New penalties for protests near critical infrastructure**

Targets protests around certain public facilities by creating a new criminal offense for trespass onto property containing "critical infrastructure." The law's extensive list of "critical infrastructure" facilities ranges from a petroleum refinery to a telephone pole. Willfully entering onto property containing critical infrastructure without permission is a misdemeanor, punishable by up to \$1,000 or six month in jail, or both. Evidence of intent to damage or otherwise harm the operations of the infrastructure facility would make the offence a felony, punishable by at least \$10,000 (with no maximum provided) or imprisonment for one year, or both; actual damage or vandalizing of the facility is punishable by up to 10 years in prison and a \$100,000 fine. Organizations found to have "conspired" with perpetrators are liable for up to \$1,000,000. The sponsor of the law told a House of Representatives committee that it was prompted by the Dakota Access Pipeline protests in North Dakota. ([See full text of bill here](#))

**Status: enacted**

**Introduced 6 Feb 2017; Signed into law 3 May 2017**

**Issue(s): conspiracy, infrastructure, trespass**

## **Oklahoma**

### **[HB 2128](#): Heightened penalties for protesters who trespass onto private property**

Increases the potential penalties levied on individuals who protest on private property without permission. The law allows prosecutors to hold anyone arrested for or convicted of trespass liable for any damages to personal or real property caused while trespassing. ([See full text of bill here](#))

**Status: enacted**

**Introduced 6 Feb 2017; Governor Fallin signed into law 15 May 2017**

**Issue(s): trespass**

## **Oregon**

### **[SB 540](#): Mandatory expulsion for college students convicted of rioting**

Would require that public universities and community colleges expel a student who is convicted of participating in a riot. The bill expired with the end of the 2017 legislative session. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 9 Jan 2017.**

**Issue(s): campus speech, riot**

## **Pennsylvania**

### **[SB 754](#): Charging protesters for the costs of responding to a protest**

Would make individual protesters potentially liable for "public safety response costs" incurred by the state or "political subdivision" during a protest or rally. The bill allows local authorities to seek restitution from protesters convicted of a misdemeanor or felony in the course of a protest or demonstration, in order to pay for the costs of responding to the event. Such costs could include overtime for police officers and emergency medical services, as well as "related legal, administrative, and court expenses." ([See full text of bill here](#))

**Status: pending**

**Introduced 16 Aug 2017.**

Issue(s): security costs

## Pennsylvania

### **SB 652: Heightened penalties for protests near critical infrastructure**

Would heighten potential penalties for protests around “critical infrastructure” by providing for the crime of “criminal trespass.” Under the bill, it is a felony to trespass in a “critical infrastructure facility,” which is broadly defined to include natural gas facilities and pipelines as well as cell phone towers, telephone poles, and railroad tracks that are fenced off or posted as no-entry areas. The bill makes knowingly entering or trying to enter such an area a second-degree felony punishable by up to one year in prison and a minimum \$5,000 fine.

([See full text of bill here](#))

Status: pending

Introduced 25 Apr 2017; Approved by Senate 23 May 2018

Issue(s): infrastructure, trespass

## Rhode Island

### **HB 5690: Eliminating driver liability for hitting protesters**

Would eliminate civil liability for the driver of an automobile who hits or otherwise injures a person participating in a protest or demonstration, if the protest or demonstration was blocking traffic and the driver was exercising “due care.” Civil liability remains if the driver’s actions were intentional. The bill expired with the end of the 2017 legislative session. ([See full text of bill here](#))

Status: defeated / expired

Introduced 1 Mar 2017.

Issue(s): driver immunity, traffic interference

## South Dakota

### **SB 176: Expanding governor’s power to restrict certain protests**

Expands the governor’s authority to curtail protest activities on public lands and restricts protests that interfere with highway traffic. The law enables the governor and sheriff to prohibit gatherings of 20 or more people on public land, if the gathering might damage the land or interfere with the renter’s use of the land. The law enables South Dakota’s Department of Transportation to prohibit or otherwise restrict an individual or vehicle from stopping, standing, parking, or being present on any highway if it interferes with traffic. The law also expands the crime of trespass, providing that an individual who defies a posted order not to enter a zone where assembling has been prohibited would be guilty of criminal trespass. Obstructing traffic or committing criminal trespass are classified as Class 1 misdemeanors, punishable by one year in jail or a \$2,000 fine, or both. ([See full text of bill here](#))

Status: enacted

Introduced 3 Mar 2017; Governor Daugaard signed into law 14 March 2017

Issue(s): traffic interference, trespass

## Tennessee

### **SB 0902: New penalties for protesters who block traffic**

Imposes a new fine on any person who intentionally, knowingly, or recklessly obstructs a public highway or street – including in the course of a protest – and in doing so interferes with an emergency vehicle’s access to or through the highway or street. “Emergency vehicle” is broadly defined as “any vehicle of a governmental department or public service corporation when responding to an emergency,” a police or fire department vehicle, or an ambulance. Unlawful obstruction of a street or highway was already a Class C misdemeanor subject to up to 30 days in jail; the law adds a \$200 fine to the penalty. Sponsors made clear that the law was aimed at protests that obstructed highways. ([See full text of bill here](#))

Status: enacted

Introduced 9 Feb 2017; Governor Haslam signed into law 12 April 2017

Issue(s): traffic interference

## Tennessee

### **[HB 0668/SB 0944](#): Eliminating driver liability for hitting protesters**

Would have provided civil immunity for a motorist who injures a protester who was blocking traffic in a public right-of-way if the driver was exercising “due care.” The bill, introduced in both the Tennessee House of Representatives and Senate, does not eliminate liability if the driver’s actions were “willful or wanton.” ([See full text of bill here](#))

Status: defeated / expired

Introduced 9 Feb 2017; Failed in committee 22 March 2017

Issue(s): driver immunity, traffic interference

## Texas

### **[HB 250](#): Eliminating driver liability for hitting protesters**

Would eliminate civil liability for the driver of an automobile who hits or otherwise injures a person who was participating in a protest or demonstration that blocked traffic, if the driver was exercising “due care.” The driver may still be civilly liable if his action was grossly negligent. Bill 250 expired with the end of the 2017 legislative session. ([See full text of bill here](#))

Status: defeated / expired

Introduced 20 Jul 2017.

Issue(s): driver immunity, traffic interference

## Virginia

### **[Executive Order No. 15](#): State of emergency in preparation for Charlottesville anniversary**

The order declared a temporary state of emergency in Virginia and deployed military force in order to prepare for “events, rallies, and protests” planned in Charlottesville on the one-year anniversary of the “Unite the Right” rally. The state of emergency order activated the Virginia National Guard and directed it to assist state police in carrying out “all acts necessary” in order “to ensure crowd control, direct traffic, prevent looting, and perform... other law enforcement functions.” The order endowed Army and Air National Guard personnel with the power to arrest individuals in order to enforce the law—including, specifically, “all violations of Section 18.2, Chapter 9, Articles 1 and 2 of the Code of Virginia (Crimes Against Peace and Order; Riot and Unlawful Assembly; Disorderly Conduct).” The order further provided that neither state police, National Guard personnel, nor any other emergency service providers could be held liable for any death or personal injury “proximately caused by the circumstances of this emergency.” Deployment of militarized or otherwise disproportionate force in response to protests—particularly if coupled with immunity for injuries those forces commit—is likely to chill constitutionally-protected protest activity. Governor Ralph Northam signed the order on August 8, 2018, and declared the state of emergency to be in effect until September 12, 2018. ([See full text of bill here](#))

Status: enacted

Introduced 8 Aug 2018.

Issue(s): police response, state of emergency

## Virginia

### **[Executive Order No. 67](#): Temporary ban on protests near General Lee monument**

Temporarily bans protests at the statue of Confederate General Robert E. Lee in Richmond, Virginia. The order directs a suspension of all permits for demonstrations, processions, picketing, and “all other like forms of conduct,” as well as the display of any flags, banners, or other “demonstratives.” The order cites the violence that erupted during a white nationalist rally in Charlottesville on August 12, 2017, and notes that activities surrounding Confederate monuments in Virginia including the Lee Monument “raise substantial public safety concerns.” The order mandates Virginia’s Department of General Services to issue regulations to govern any public use of the Lee Monument by November 18, 2017, and halts the issuance of demonstration permits until such regulations are issued. ([See full text of bill here](#))

Status: enacted

Introduced 18 Aug 2017; Effective until 18 Nov 2017

## Virginia

### **[Executive Order No. 66](#): State of emergency due to protests in Charlottesville**

Declares a temporary state of emergency in Virginia “due to civil unrest leading up to, resulting from, and subsequent to the Unite the Right rally and counter-protests in the City of Charlottesville.” Among other things, the state of emergency activated the Virginia National Guard to assist in responding to the violence associated with the white nationalist demonstrations, and allowed state agencies to take extraordinary measures to deal with the emergency. Governor Terry McAuliffe signed the order on August 12, 2017, and declared the state of emergency to be in effect for five days, until August 17. ([See full text of bill here](#))

Status: enacted

Introduced 12 Aug 2017; Effective until 17 Aug 2017

Issue(s): state of emergency

## Virginia

### **[HB 1601](#): Banning protests by members of domestic terrorist groups**

Would newly define and designate “domestic terrorist organizations,” and bar their members from assembling in groups of three or more. The bill broadly defines an “act of domestic terrorism,” in part echoing the state’s definition of a hate crime. The bill would provide for state authorities to designate as a “domestic terrorist organization” an identifiable group that aims to commit an act of domestic terrorism or whose members individually or collectively have attempted to commit an act of domestic terrorism. According to the bill, members of a designated domestic terrorist organization are prohibited from assembling in groups of three or more persons. The bill provides that such an assembly is unlawful, and any individual who participates in such an “unlawful assembly” (whether a member or not) could be charged with a Class I misdemeanor, punishable by up to one year in jail and a \$2,500 fine. If an individual carries a firearm or other deadly or dangerous weapon while participating in such an “unlawful assembly” of domestic terrorist group members, they are subject to a Class 5 felony, punishable by up to ten years in prison. A spokesman for the Attorney General’s Office, which helped draft the bill, indicated that it was prompted by the white supremacist rally in Charlottesville on August 12. Critics of the bill have noted that the broad language of the bill could allow authorities to target minority communities who have “unpopular beliefs.” ([See full text of bill here](#))

Status: pending

Introduced 19 Jan 2018.

Issue(s): terrorism

## Virginia

### **[HB 1791](#): Expanded definition of “incitement to riot”**

Would have expanded the definition of “incitement to riot” and heightened penalties for encouraging others to produce a riot against a law-enforcement officer, firefighter, or emergency medical personnel. Under the bill, encouraging others to engage in a peaceful protest that results in acts of force or violence against such officers or personnel is a felony punishable by up to 20 years in prison. ([See full text of bill here](#))

Status: defeated / expired

Introduced 9 Jan 2017; Approved by House 26 Jan 2017; Approved by Senate 13 Feb 2017; Vetoed by Governor McAuliffe 28 April 2017

Issue(s): riot

## Virginia

### **[SB 1055](#): Heightened penalties for participation in an “unlawful assembly”**



Would have broadened the scope of the state's anti-protesting laws. The bill would increase penalties for people who engage in an "unlawful assembly" after "having been lawfully warned to disperse," elevating the act from a Class 3 misdemeanor, which carries only a maximum \$500 fine, to a Class 1 misdemeanor, which could be subject to up to one year in prison and a fine of up to \$2,500. ([See full text of bill here](#))

Status: defeated / expired

Introduced 6 Jan 2017; Failed in Senate on 23 Jan 2017

## Washington

### **[SB 5941](#): New penalties for protesters who conceal their identity**

Would prohibit a person from "wearing a mask, hood, or device where any portion of the face is covered as to conceal the identity of the wearer" when they are on public or state-owned property – including, e.g., during a protest. Under the bill, commission of this offense is punishable as a gross misdemeanor. State Senator Jim Honeyford said he sponsored this bill in response to vandalism and violence that he believes occurs "under the guise of political speech," that threatens citizens' "safety and welfare." ([See full text of bill here](#))

Status: defeated / expired

Introduced 22 May 2017; reintroduced 8 January, 2018.

Issue(s): face coverings

## Washington

### **[SB 5009](#): Heightened penalties for protests that block traffic and interfere with "economic activities"**

Would target protests that disrupt roadways, railroads, and other "legally permitted economic activities." The bill heightens penalties for illegal actions that aim to create economic harm by impeding legally-permitted economic activities. According to the bill, if a court finds that the perpetrator of another offense intended to cause economic disruption, his or her sentence can be extended 60 days for a misdemeanor, six months for a gross misdemeanor, and 12 months for a felony. The bill provides that those who fund or sponsor such actions can be charged as accomplices. The state senator who sponsored the bill indicated in November 2016 that it was drafted to respond to protests aimed at disrupting economic activities, which he deemed tantamount to "economic terrorism." ([See full text of bill here](#))

Status: defeated / expired

Introduced 15 Dec 2016; reintroduced 8 January, 2018.

Issue(s): traffic interference

## Wisconsin

### **[AB 395/SB 303](#): Expanded definition of "riot"**

As originally introduced, Assembly Bill 395 would have newly defined a "riot" under Wisconsin law and provided for heavy criminal penalties for participants in a riot. The introduced bill broadly defined "riot" as a "public disturbance" including an act or threat of violence among an assembly of three or more people that "constitutes a clear and present danger" of damage to persons or property. Accordingly, under the introduced bill, individuals in a gathering where a violent or destructive incident took place could be charged with participation in a riot, classified as a Class I felony punishable by three and a half years in prison and a \$10,000 fine. The bill was amended in late 2017, revising and narrowing the offense of "participation in a riot" to require individual intent: Under the amended bill, it is a Class I felony to "intentionally" commit or threaten to commit an act of violence that "constitutes a clear and present danger" of damage to persons or property, while engaging in a "public disturbance" with at least three people. ([See full text of bill here](#))

Status: defeated / expired

Introduced 19 Jun 2017.

Issue(s): riot

## Wisconsin

### **AB 396/SB 304: New penalties for blocking traffic during a riot**

Would create a new criminal offense of blocking a public or private thoroughfare or access to a private or public building while participating in a riot (as defined and penalized in AB 395). The bill was amended in late 2017 to add elements of individual intent; under the amended version, it is a Class H felony to "intentionally" commit or threaten to commit an act of violence that "constitutes a clear and present danger" of damage to persons or property, while blocking a thoroughfare or access point as part of a "public disturbance" with at least three people. ([See full text of bill here](#))

Status: defeated / expired

Introduced 19 Jun 2017.

Issue(s): riot, traffic interference

### **Wisconsin**

### **AB 397/SB 305: New penalties for carrying a weapon during a riot**

Would impose new penalties for participation in a riot (as defined and penalized in AB 395) while carrying a dangerous weapon. Doing so is classified as a Class G felony punishable by up to 10 years in prison and a \$25,000 fine. The bill was amended in late 2017 to add elements of individual intent: Under the revised bill, it is a Class G felony to "knowingly use a dangerous weapon" and "intentionally" commit or threaten to commit an act of violence that "constitutes a clear and present danger" of damage to persons or property, while engaging in a "public disturbance" with at least three people. ([See full text of bill here](#))

Status: defeated / expired

Introduced 19 Jun 2017.

Issue(s): riot, weapons

### **Wisconsin**

### **AB 299: Mandatory sanctions for campus protesters**

Would impose mandatory disciplinary measures on student protesters in certain cases. The bill requires that students who engage in "violent, abusive, indecent, profane, boisterous, obscene, unreasonably loud, or other disorderly conduct that interferes with the free expression of others" on Wisconsin college or university campuses be compelled to attend a mandatory disciplinary hearing. The bill also requires campus authorities to suspend for a minimum of one semester or expel a student who interferes more than once with another's free speech, for instance by protesting a controversial campus speaker. ([See full text of bill here](#))

Status: defeated / expired

Introduced 5 May 2017; Approved by Assembly 21 June 2017

Issue(s): campus speech

### **Wyoming**

### **HB 0137: Mandatory sanctions for campus protesters**

Would create mandatory disciplinary sanctions that could be applied to peaceful protesters on college campuses. The bill requires the University of Wyoming and community colleges to adopt a "free speech protection policy" that includes the mandatory suspension for at least one year or expulsion of any student who is twice found responsible for "infringing upon the expressive rights of others." The bill also calls for a "range of disciplinary sanctions" to be imposed on anyone under the university's jurisdiction who "materially and substantially interferes with the free expression of others." ([See full text of bill here](#))

Status: defeated / expired

Introduced 12 Feb 2018; Failed in House 16 Feb

Issue(s): campus speech

### **Wyoming**

### **SF 0074: New penalties for protests near "critical infrastructure"**

Would raise potential penalties for protests near oil pipelines and other facilities by providing for the offense of "critical infrastructure trespass." The offense is defined as entering or remaining on a "critical infrastructure facility" while aware or on notice that presence is not authorized. Under the bill, critical infrastructure trespass is a misdemeanor punishable by up to one year in jail and a fine of \$1,000. If a person trespasses with the intent to impede the facility's operations, or damage, deface, or tamper with facility equipment, the offense is a felony punishable by up to ten years in prison and a \$100,000 fine. The bill also provides that an organization that "aids, abets, solicits, encourages, compensates, conspires, commands or procures" a person to commit felonious infrastructure trespass is liable to a fine of up to \$1 million. "Critical infrastructure facility" is broadly defined and among many other things includes oil and gas pipelines, refineries, water treatment plants, railroad tracks, and telephone poles. ([See full text of bill here](#))

**Status: defeated / expired**

**Introduced 7 Feb 2018; Approved by Senate 27 Feb 2018; Approved by House 10 March 2018; Vetoed by Governor Mead 14 March 2018**

**Issue(s): conspiracy, infrastructure, trespass**