

IC 35-45

ARTICLE 45. OFFENSES AGAINST PUBLIC HEALTH, ORDER, AND DECENCY

IC 35-45-1

Chapter 1. Offenses Against Public Order

IC 35-45-1-0.1

Repealed

(Repealed by P.L.63-2012, SEC.57.)

IC 35-45-1-1

Definitions

Sec. 1. As used in this chapter:

"Tumultuous conduct" means conduct that results in, or is likely to result in, serious bodily injury to a person or substantial damage to property.

"Unlawful assembly" means an assembly of five (5) or more persons whose common object is to commit an unlawful act, or a lawful act by unlawful means. Prior concert is not necessary to form an unlawful assembly.

As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.68.

IC 35-45-1-2

Rioting

Sec. 2. A person who, being a member of an unlawful assembly, recklessly, knowingly, or intentionally engages in tumultuous conduct commits rioting, a Class A misdemeanor. However, the offense is a Level 6 felony if it is committed while armed with a deadly weapon.

As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.69; P.L.158-2013, SEC.521.

IC 35-45-1-3

Disorderly conduct

Sec. 3. (a) A person who recklessly, knowingly, or intentionally:

- (1) engages in fighting or in tumultuous conduct;
- (2) makes unreasonable noise and continues to do so after being asked to stop; or
- (3) disrupts a lawful assembly of persons;

commits disorderly conduct, a Class B misdemeanor.

(b) The offense described in subsection (a) is a Level 6 felony if it:

- (1) adversely affects airport security; and
- (2) is committed in an airport (as defined in IC 8-21-1-1) or on the premises of an airport, including in a parking area, a maintenance bay, or an aircraft hangar.

(c) The offense described in subsection (a) is a Level 6 felony if it:

- (1) is committed within five hundred (500) feet of:
 - (A) the location where a burial is being performed;
 - (B) a funeral procession, if the person described in subsection (a) knows that the funeral procession is taking place; or
 - (C) a building in which:
 - (i) a funeral or memorial service; or
 - (ii) the viewing of a deceased person; is being conducted; and
- (2) adversely affects the funeral, burial, viewing, funeral procession, or memorial service.

As added by Acts 1976, P.L.148, SEC.5. Amended by Acts 1977, P.L.340, SEC.70; P.L.92-1988, SEC.8; P.L.123-2002, SEC.40; P.L.3-2006, SEC.1; P.L.158-2013, SEC.522.

IC 35-45-1-4

Flag desecration

Sec. 4. (a) A person who knowingly or intentionally mutilates, defaces, burns, or tramples any United States flag, standard, or ensign commits flag desecration, a Class A misdemeanor.

(b) This section does not apply to a person who disposes of a flag in accordance with 36 U.S.C. 176(k).

As added by Acts 1977, P.L.26, SEC.22. Amended by P.L.163-1990, SEC.1.