



SPONSOR: Sen. Sturgeon & Rep. K. Williams
Sens. Buckson, Hansen

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 330

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DISORDERLY CONDUCT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend § 1301, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 1301. Disorderly conduct; unclassified misdemeanor.

4 (a) A person is guilty of disorderly conduct ~~when:~~ when any of the following apply:

5 (2) The person engages with at least 1 other person in a course of disorderly conduct as defined in paragraph
6 (a)(1) of this section which is likely to cause substantial harm or serious inconvenience, annoyance or alarm, and
7 refuses or knowingly fails to obey an order to disperse made by a peace officer to the participants.

8 (3) The person intentionally interferes with the operation of a school bus if both of the following apply:

9 a. The school bus is transporting, picking up, or dropping off students.

10 b. The person does any of the following:

11 1. Boards the school bus and refuses to exit after being lawfully ordered to exit by the school bus
12 driver.

13 2. Wrongfully restricts the movement of the school bus.

14 3. Threatens the school bus driver, a student, or any passenger entering, leaving, or waiting for the
15 school bus.

16 (b) Disorderly conduct is an unclassified misdemeanor.

17 (c) A student or passenger otherwise authorized to be on the school bus in the ordinary course of business may not
18 be guilty of disorderly conduct for a violation of paragraph (a)(3) of this section.

SYNOPSIS

This Act adds intentional interference with the operation of a school bus to the offense of disorderly conduct. Interference with a school bus may include boarding a school bus and refusing to exist after being lawfully ordered to do so by the school bus driver; wrongfully restricting the movement of a school bus; or threatening the school bus driver or any passenger entering, leaving, or waiting for a school bus. A student or passenger otherwise authorized to be on the school bus in the ordinary course of business may not be guilty of disorderly conduct for intentional interference with the operation of a school bus.

This Act comes from a recommendation by the Public School Transportation Committee. According to the Committee, many school bus drivers encounter irate individuals during their daily routes. This Act is based on a law from South Carolina that the Committee reviewed and endorsed.

Author: Senator Sturgeon