

**609.72 DISORDERLY CONDUCT.**

Subdivision 1. **Crime.** Whoever does any of the following in a public or private place, including on a school bus, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct, which is a misdemeanor:

- (1) engages in brawling or fighting; or
- (2) disturbs an assembly or meeting, not unlawful in its character; or
- (3) engages in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.

A person does not violate this section if the person's disorderly conduct was caused by an epileptic seizure.

*[See Note.]*

Subd. 2. [Repealed, 1969 c 226 s 1]

Subd. 3. **Caregiver; penalty for disorderly conduct.** A caregiver, as defined in section 609.232, who violates the provisions of subdivision 1 against a vulnerable adult, as defined in section 609.232, may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

**History:** 1963 c 753 art 1 s 609.72; 1967 c 242 s 1; 1971 c 23 s 71; 1988 c 689 art 2 s 236; 1991 c 279 s 34; 1994 c 636 art 2 s 46; 1995 c 229 art 2 s 7

**NOTE:** Subdivision 1, clause (2), was held unconstitutional under the First Amendment to the United States Constitution because it is substantially overbroad. *State v. Hensel*, 901 N.W.2d 166 (Minn. 2017)