

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1711

4
5 By: Representatives Tyler, Nix, Williams, B. Wilkins, D. Creekmore, T. Bradford, Pennartz, Lea, Rice,
6 Dale
7 By: Senator G. Baker

For An Act To Be Entitled

11 AN ACT TO REQUIRE PERSONS WHO REPEATEDLY VIOLATE
12 ORDERS OF PROTECTION TO PAY FOR AND WEAR GLOBAL
13 POSITIONING DEVICES AT ALL TIMES SO AS TO PROTECT
14 THE VICTIM AND ENABLE LAW ENFORCEMENT TO EASILY
15 LOCATE THE OFFENDER; AND FOR OTHER PURPOSES.

Subtitle

17 TO REQUIRE PERSONS WHO REPEATEDLY
18 VIOLATE ORDERS OF PROTECTION TO PAY FOR
19 AND WEAR GLOBAL POSITIONING DEVICES.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Title 9, Chapter 15, Subchapter 2, is amended
26 to add a new section to read as follows:

27 9-15-217. Order of protection - Repeat violations - Domestic violence
28 surveillance program - Global positioning devices.

29 (a)(1) A person who is charged with violating an order of protection
30 under § 9-15-207 shall be arrested and ordered as a condition of his or her
31 release from custody to be placed under electronic surveillance at his or her
32 expense until the charge is adjudicated.

33 (2) The court having jurisdiction over the charge may order the
34 defendant released from electronic surveillance before the adjudication of
35 the charge.

36 (b) A person who is found guilty of violating an order of protection



1 shall be placed under electronic surveillance at his or her expense as part
2 of his or her sentence for a minimum of four (4) months but not to exceed one
3 (1) year.

4 (c) As used in this section, "electronic surveillance" means
5 technology that immediately notifies law enforcement or other monitors of a
6 violation of the distance requirements or locations that the defendant is
7 barred from entering and may also include technology that:

8 (1) Immediately notifies the victim of any violation;

9 (2) Allows law enforcement or monitors to speak to the offender
10 in some manner through or in conjunction with the device; and

11 (3) Has a loud alarm that can be activated to warn the potential
12 victim of the offender's presence in a place he or she is barred from
13 entering.

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