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 | As Engrossed: S4/7/09 S4/7/09 | | | |
|----|---|--------------------------------------|------------|------|--|
| 2 | 87th General Assembly | A Bill | | | |
| 3 | Regular Session, 2009 | | 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 | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | For An Act To Be Entitled | | | | |
| 11 | AN ACT | TO REQUIRE PERSONS WHO VIOLATE ORDE | RS OF | | |
| 12 | PROTECTION TO PAY FOR AND WEAR GLOBAL POSITIONING | | | | |
| 13 | DEVICES AT ALL TIMES SO AS TO PROTECT THE VICTIM | | | | |
| 14 | AND ENABLE LAW ENFORCEMENT TO EASILY LOCATE THE | | | | |
| 15 | OFFENDE | ER; AND FOR OTHER PURPOSES. | | | |
| 16 | | | | | |
| 17 | Subtitle | | | | |
| 18 | TO F | REQUIRE PERSONS WHO VIOLATE ORDERS C |)F | | |
| 19 | PROTECTION TO PAY FOR AND WEAR GLOBAL | | | | |
| 20 | POSI | ITIONING DEVICES. | | | |
| 21 | | | | | |
| 22 | | | | | |
| 23 | BE IT ENACTED BY THE | GENERAL ASSEMBLY OF THE STATE OF AR | KANSAS: | | |
| 24 | | | | | |
| 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 - Violations - Domestic violence | | | | |
| 28 | <u>surveillance program - Global positioning devices.</u> | | | | |
| 29 | (a)(1)(A) A person who is charged with violating an ex parte order of | | | | |
| 30 | protection under § 5-53-134 may be 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 | (B) A person who is charged with violating a final order | | | | |
| 34 | of protection under § 5-53-134 may be ordered as a condition of his or her | | | | |
| 35 | release from custody to be placed under electronic surveillance at his or her | | | | |
| 36 | expense until the cha | arge is adjudicated. | | | |



| 1 | (2) The court having jurisdiction over the charge may order the | | |
|----|---|--|--|
| 2 | defendant released from electronic surveillance before the adjudication of | | |
| 3 | the charge. | | |
| 4 | (b) A person who is found guilty of violating an order of protection | | |
| 5 | may be placed under electronic surveillance at his or her expense as part of | | |
| 6 | his or her sentence for a minimum of four (4) months but not to exceed one | | |
| 7 | <u>(1) year.</u> | | |
| 8 | (c) As used in this section, "electronic surveillance" means active | | |
| 9 | surveillance technology worn by or attached to a person that is a single- | | |
| 10 | piece device that immediately notifies law enforcement or other monitors of a | | |
| 11 | violation of the distance requirements or locations that the defendant is | | |
| 12 | barred from entering and may also include technology that: | | |
| 13 | (1) Immediately notifies the victim of any violation; | | |
| 14 | (2) Allows law enforcement or monitors to speak to the offender | | |
| 15 | in some manner through or in conjunction with the device; | | |
| 16 | (3) Has a loud alarm that can be activated to warn the potential | | |
| 17 | victim of the offender's presence in a place he or she is barred from | | |
| 18 | <u>entering;</u> | | |
| 19 | (4) Is waterproof; and | | |
| 20 | (5) Can be tracked by either satellite or cellular phone tower | | |
| 21 | triangulation. | | |
| 22 | | | |
| 23 | /s/ Tyler | | |
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