

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 14

By: Senator J. Jeffress

For An Act To Be Entitled

AN ACT CONCERNING ENTERING ANOTHER STATE AS A
MEANS OF AVOIDING A REQUIRED COURT APPEARANCE;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT CONCERNING ENTERING ANOTHER STATE
AS A MEANS OF AVOIDING A REQUIRED COURT
APPEARANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-54-120 is amended to read as follows:
5-54-120. Failure to appear.

(a) A person commits the offense of failure to appear if he or she
fails to appear without reasonable excuse subsequent to having been:

(1) Cited or summonsed as an accused; or

(2) Lawfully set at liberty upon condition that he or she appear
at a specified time, place, and court.

(b)(1) Failure to appear is a Class C felony if the required
appearance was to answer a charge of felony or for disposition of any felony
charge either before or after a determination of guilt of the felony charge.

(2) Failure to appear is a Class D felony if the person enters
another state as a means of avoiding the required appearance and the required
appearance was to answer a charge of misdemeanor or a violation or for
disposition of any misdemeanor charge or violation charge either before or
after a determination of guilt of the misdemeanor charge or violation charge.

(c)(1) Failure to appear is a Class A misdemeanor if the required



1 appearance was to answer a charge of misdemeanor or for disposition of any
2 misdemeanor charge either before or after a determination of guilt of the
3 misdemeanor charge.

4 (2) Failure to appear is a Class C misdemeanor if the required
5 appearance was to answer a violation.

6 (d) This section does not apply to an order to appear imposed as a
7 condition of suspension or probation ~~pursuant to~~ under § 5-4-303 or an order
8 to appear issued prior to a revocation hearing ~~pursuant to~~ under § 5-4-310.