

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Senator S. Flowers  
6

# A Bill

SENATE BILL 873

## For An Act To Be Entitled

8 AN ACT REGARDING THE JUDICIAL RELIEF AVAILABLE UNDER  
9 THE DOMESTIC ABUSE ACT; TO DECLARE AN EMERGENCY; AND  
10 FOR OTHER PURPOSES.

### Subtitle

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13 REGARDING THE JUDICIAL RELIEF AVAILABLE  
14 UNDER THE DOMESTIC ABUSE ACT AND TO  
15 DECLARE AN EMERGENCY.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. DO NOT CODIFY. Legislative findings.

22 It is found by the General Assembly that:

23 (1) Orders of protection are a valuable tool for the courts and law  
24 enforcement in maintaining peace and order during domestic disputes;

25 (2) In rare instances, however, the person who is protected in these  
26 cases contacts the person who is subject to the order, leading to potential  
27 criminal prosecution; and

28 (3) The process and purpose of being granted an order of protection is  
29 being supplanted when the victim in turn contacts the subject of the order of  
30 protection.

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32 SECTION 2. Arkansas Code § 9-15-205 is amended to add a new subsection  
33 to read as follows:

34 (c) The court may also order that the petitioner be prohibited from  
35 contacting the respondent either directly or indirectly.  
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1           SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
2 General Assembly of the State of Arkansas that orders of protection are a  
3 valuable tool for the courts and law enforcement in maintaining peace and  
4 order during domestic disputes; that in rare instances, however, the person  
5 who is protected in these cases contacts the person who is subject to the  
6 order, leading to potential criminal prosecution; and that this act is  
7 immediately necessary because the process and purpose of being granted an  
8 order of protection is being supplanted when the victim in turn contacts the  
9 subject of the order of protection. Therefore, an emergency is declared to  
10 exist and this act being immediately necessary for the preservation of the  
11 public peace, health, and safety shall become effective on:

12                   (1) The date of its approval by the Governor;

13                   (2) If the bill is neither approved nor vetoed by the Governor,  
14 the expiration of the period of time during which the Governor may veto the  
15 bill; or

16                   (3) If the bill is vetoed by the Governor and the veto is  
17 overridden, the date the last house overrides the veto.

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