

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Senator Dowd**

# A Bill

**ACT 401 OF 1995**  
**SENATE BILL 34**

## For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT PERSONS ABUSED IN DOMESTIC  
9 VIOLENCE INCIDENTS SHALL NOT BE REQUIRED TO BEAR ANY COSTS  
10 ASSOCIATED WITH THE FILING OR PROSECUTION OF CRIMINAL  
11 CHARGES AGAINST THE DOMESTIC VIOLENCE OFFENDER; AND FOR  
12 OTHER PURPOSES."

## Subtitle

15 "TO PROVIDE THAT PERSONS ABUSED IN  
16 DOMESTIC VIOLENCE SHALL NOT BE REQUIRED  
17 TO BEAR ANY COSTS ASSOCIATED WITH FILING  
18 OR PROSECUTION OF CRIMINAL CHARGES  
19 AGAINST OFFENDER"

20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 *SECTION 1. (a) The abused in any misdemeanor or felony domestic*  
24 *violence offense shall not bear the costs associated with the filing of*  
25 *criminal charges against the domestic violence offender, or the costs*  
26 *associated with the issuance or service of a warrant and witness subpoena,*  
27 *except as provided in (b). The abused in any domestic violence petition for*  
28 *relief for a protection order sought pursuant to § 9-15-201 et seq. shall not*  
29 *bear the cost associated with its filing, or the costs associated with the*  
30 *issuance or service of a warrant and witness subpoena.*

31 *(b) Nothing in this act shall be construed to prohibit a judge from*  
32 *assessing costs if the allegations of abuse are determined to be false.*

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34 *SECTION 2. All provisions of this act of a general and permanent nature*  
35 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*  
36 *Revision Commission shall incorporate the same in the Code.*

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

*/s/Dowd*

APPROVED: 2-21-95

