

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1814

5 By: Representative Rushing  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE OFFENSE OF HARASSING  
9 COMMUNICATIONS; AND FOR OTHER PURPOSES.  
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### Subtitle

11 CONCERNING THE OFFENSE OF HARASSING  
12 COMMUNICATIONS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 5-71-209(b), concerning the elements of the  
20 offense of harassing communications, is amended to read as follows:

21 (b) A person commits the offense of harassing communications if, ~~with:~~

22 (1) With the purpose to harass, annoy, or alarm another person,  
23 the person:

24 ~~(1)(A)~~ Communicates with a person, anonymously or  
25 otherwise, by telephone, telegraph, mail, email, message delivered to an  
26 electronic device, or any other form of written or electronic communication,  
27 in a manner likely to harass, annoy, or cause alarm;

28 ~~(2)(B)~~ Makes a telephone call or causes a telephone to  
29 ring repeatedly, with no purpose of legitimate communication, regardless of  
30 whether a conversation ensues; ~~or~~

31 ~~(3)(C)~~ Knowingly permits any telephone or electronic  
32 device under his or her control to be used for any purpose prohibited by this  
33 section;

34 (D) Threatens by telephone, in writing, or by electronic  
35 communication, including without limitation by text message, social media  
36 post, facsimile transmission, email, and internet service to take an action



1 against another person that is known by the person to be unlawful; or  
2 (E) Places two (2) or more telephone calls anonymously, at  
3 an hour or hours known by the person to be inconvenient to another person, in  
4 an offensively repetitious manner or without a legitimate purpose of  
5 communication, and by this action knowingly annoys or alarms the other  
6 person; or

7 (2) With the purpose to frighten, intimidate, or distress  
8 emotionally another person, the person:

9 (A) Communicates by telephone to another person that a  
10 person has been injured, killed, or is ill when the communication is known by  
11 the person to be false; or

12 (B) Communicates with another person by any method  
13 described in subdivision (b)(1) of this section, without legitimate purpose  
14 in a manner the person knows, or reasonably should know, would frighten,  
15 intimidate, or cause emotional distress to a similarly situated person of  
16 reasonable sensibilities.

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19 **APPROVED: 4/16/19**  
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