

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/9/11 S3/24/11

A Bill

HOUSE BILL 2001

5 By: Representative Hickerson
6 By: Senator M. Lamoureux
7

For An Act To Be Entitled

9 AN ACT REGARDING THE CARE OF PETS UNDER THE DOMESTIC
10 ABUSE ACT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 REGARDING THE CARE OF PETS UNDER THE
14 DOMESTIC ABUSE ACT.
15
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 9-15-205 is amended to read as follows:

21 9-15-205. Relief generally – Duration.

22 (a) At the hearing on the petition filed under this chapter, upon a
23 finding of domestic abuse as defined in § 9-15-103, the court may provide the
24 following relief:

25 (1) Exclude the abusing party from the dwelling that the parties
26 share or from the residence of the petitioner or victim;

27 (2) Exclude the abusing party from the place of business or
28 employment, school, or other location of the petitioner or victim;

29 (3)(A) Award temporary custody or establish temporary visitation
30 rights with regard to minor children of the parties.

31 (B)(i) If a previous child custody or visitation
32 determination has been made by another court with continuing jurisdiction
33 with regard to the minor children of the parties, a temporary child custody
34 or visitation determination may be made under subdivision (a)(3)(A) of this
35 section.

36 (ii) The order shall remain in effect until the



1 court with original jurisdiction enters a subsequent order regarding the
2 children;

3 (4) Order temporary support for minor children or a spouse, with
4 such support to be enforced in the manner prescribed by law for other child
5 support and alimony awards;

6 (5) Allow the prevailing party a reasonable attorney's fee as
7 part of the costs;

8 (6) Prohibit the abusing party directly or through an agent from
9 contacting the petitioner or victim except under specific conditions named in
10 the order; ~~and~~

11 (7) Direct the care, custody, or control of any *pet* owned,
12 possessed, leased, kept, or held by either party residing in the household;
13 and

14 ~~(7)(A)(8)(A)~~ Order ~~such~~ other relief as the court deems
15 necessary or appropriate for the protection of a family or household member.

16 (B) The relief may include, but not be limited to,
17 enjoining and restraining the abusing party from doing, attempting to do, or
18 threatening to do any act injuring, mistreating, molesting, or harassing the
19 petitioner.

20 (b) Any relief granted by the court for protection under the
21 provisions of this chapter shall be for a fixed period of time not less than
22 ninety (90) days nor more than ten (10) years in duration, in the discretion
23 of the court, and may be renewed at a subsequent hearing upon proof and a
24 finding by the court that the threat of domestic abuse still exists.

25

26 /s/Hickerson

27

28

29 **APPROVED: 04/01/2011**

30

31

32

33

34

35

36