

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

A Bill

SENATE BILL 402

5 By: Senator G. Leding
6 By: Representative Clowney
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE OFFENSE OF VIOLATION OF AN
10 ORDER OF PROTECTION; AND FOR OTHER PURPOSES.
11

Subtitle

14 CONCERNING THE OFFENSE OF VIOLATION OF AN
15 ORDER OF PROTECTION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-53-134(b), concerning the penalties for
21 violation of an order of protection, is amended to read as follows:

22 (b)(1) Except as provided in subdivision (b)(2) of this section,
23 violation of an order of protection under this section is a Class A
24 misdemeanor.

25 (2) Violation of an order of protection under this section is a
26 Class D felony if:

27 (A) The offense is committed within five (5) years of a
28 previous conviction for violation of an order of protection under this
29 section; and

30 (B) The order of protection was issued after a hearing of
31 which the person received actual notice and at which the person had an
32 opportunity to participate; ~~and~~

33 ~~(C) The facts constituting the violation on their own~~
34 ~~merit satisfy the elements of any felony offense or misdemeanor offense, not~~
35 ~~including an offense provided for in this section.~~

36 APPROVED: 3/13/19



