

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2559

5 By: Representative Chesterfield  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE SPOUSAL ABUSE SAFETY PLAN  
10 ACT FOR EDUCATION AND TRAINING ON THE PREVENTION  
11 OF AND INTERVENTION IN SPOUSAL ABUSE; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

15 TO CREATE THE SPOUSAL ABUSE SAFETY PLAN  
16 ACT FOR EDUCATION AND TRAINING ON THE  
17 PREVENTION OF AND INTERVENTION IN  
18 SPOUSAL ABUSE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 9, Chapter 15 is amended to add an  
24 additional subchapter to read as follows:

25 9-15-401. Title.

26 This subchapter shall be known and may be cited as the "Spousal Abuse  
27 Safety Plan Act".  
28

29 9-15-402. Findings – Purpose.

30 (a) The General Assembly finds that:

31 (1) There are many resources to support victims of domestic  
32 abuse after the abuse has occurred. However, the issues of how to prevent  
33 spousal abuse and the possible solution of creating a safety plan for the  
34 spouse and the children in the household have received very little attention;

35 (2) Exposure to domestic abuse and spousal abuse has a  
36 devastating impact on both the children and adults in households and



1 communities, regardless of whether they are direct victims of abuse or  
 2 witnesses to it; and

3 (3) Children exposed to such violence at an early age are likely  
 4 to become either perpetrators of abuse or victims of violence in adulthood,  
 5 which is a cycle that can only be stopped through intervention and education.

6 (b) The purpose of this subchapter is to reduce the occurrence of  
 7 spousal abuse and to reduce the exposure of children to spousal abuse by  
 8 creating a safety plan for the spouse that is a victim of the spousal abuse  
 9 and for the children in the household.

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 11 9-15-403. Definitions.

12 As used in this subchapter:

13 (1) "Emotional abuse" means any of the following acts:

14 (A) Verbally attacking or threatening a spouse by yelling,  
 15 screaming, or name-calling;

16 (B) Using criticism, social isolation, intimidation, or  
 17 exploitation to dominate a spouse;

18 (C) Criminally harassing a spouse;

19 (D) Stalking a spouse;

20 (E) Threatening a spouse or his or her loved ones;

21 (F) Damaging a spouse's possessions; or

22 (G) Harming the pet of a spouse;

23 (2)(A) "Physical abuse" means any of the following acts:

24 (i) Using physical force in a way that injures a  
 25 spouse or puts him or her at risk of being injured;

26 (ii) Beating, hitting, shaking, pushing, choking,  
 27 biting, burning, kicking, or assaulting a spouse with a weapon.

28 (B) "Physical abuse" may consist of one (1) or more than  
 29 one (1) incident described under subdivision (2)(A) of this section;

30 (3)(A) "Sexual abuse" means any of the following acts:

31 (i) Forcing a spouse to participate in unwanted,  
 32 unsafe, or degrading sexual activity; or

33 (ii) Using ridicule or other tactics to try to  
 34 denigrate, control, or limit a spouse's sexuality or reproductive choices.

35 (B) "Sexual abuse" includes rape, sexual assault, or  
 36 sexual harassment;

1           (4)(A) "Spousal abuse" means an act of violence or mistreatment  
 2 that a woman or a man may experience at the hands of his or her marital  
 3 partner, regardless of the timing of the act in terms of the stage of the  
 4 relationship.

5           (B) "Spousal abuse" includes any of the following  
 6 committed by a spouse against his or her spouse:

- 7                   (i) Emotional abuse;
- 8                   (ii) Physical abuse; or
- 9                   (iii) Sexual abuse.

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 11       9-15-404. Safety plans and education.

12       The purpose of the Spousal Abuse Safety Plan Act is to:

13           (1) Develop increased and improved security measures that  
 14 provide greater protection for victims of spousal abuse, especially those who  
 15 have orders of protection;

16           (2) Help victims create a safety plan to keep them and their  
 17 children as safe as possible by developing publications as described under §  
 18 9-15-405 on what to do and where to go if danger occurs;

19           (3) Make safety plan publications as described under § 9-15-405  
 20 available in public health centers and for distribution to victims by police  
 21 officers when responding to spousal abuse calls;

22           (3) Create special training initiatives regarding the dynamics  
 23 of spousal abuse for police intake officers, health officials, and social  
 24 workers in order to help ensure a continuously improving response to spousal  
 25 abuse;

26           (4) Encourage the development of community-based, civic-based,  
 27 and faith-based healthy relationship courses to teach to both adolescent boys  
 28 and adolescent girls as they begin to date:

- 29                   (A) The elements of healthy relationships;
- 30                   (B) Acceptable and unacceptable behavior in relationships;
- 31                   (C) The concept of respect;
- 32                   (D) Conflict resolution techniques;
- 33                   (E) Anti-violence; and
- 34                   (F) The prevention of sexual assault and sexual

35 harassment;

36           (5) Help raise awareness about the devastating impact that

1 spousal abuse has on children and families; and

2 (6) Assist with the development of increased protection of  
 3 victims of spousal abuse by establishing standards for protection and  
 4 response by convening a committee of relevant experts in the field of health  
 5 care and law enforcement to recommend standards to the General Assembly.

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 7 9-15-405. Educational and training materials.

8 (a) The Department of Health and Human Services, in consultation with  
 9 experts on spousal abuse prevention and intervention, shall develop  
 10 educational material and training material to address the issues under this  
 11 subchapter.

12 (b) The educational material and training material shall be published  
 13 and distributed around the state.

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 15 9-15-406. Rules.

16 The Department of Health and Human Services shall promulgate rules to  
 17 implement and administer this subchapter.

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 19 9-15-407. Reporting.

20 The Department of Health and Human Services shall report annually to  
 21 the House Committee on Aging, Children and Youth, Legislative and Military  
 22 Affairs and the Senate Committee on Children and Youth regarding:

23 (1) The status of the implementation and administration of this  
 24 subchapter and its purposes; and

25 (2) Any recommended changes in the law to improve the prevention  
 26 of or intervention into spousal abuse situations.

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