

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1976

4
5 By: Representative Luker

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 9-15-204 AND
10 9-15-206 TO EXTEND THE DURATION OF A TEMPORARY ORDER OF
11 PROTECTION; AND FOR OTHER PURPOSES."

Subtitle

14 "TO EXTEND THE DURATION OF A TEMPORARY
15 ORDER OF PROTECTION"

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code Annotated § 9-15-204 is amended to read as
20 follows:

21 "9-15-204. Hearing - Service.

22 (a) When a petition is filed pursuant to this chapter, the court shall
23 order a hearing to be held thereon not later than ~~fourteen (14)~~ thirty (30)
24 days from the date on which the petition is filed or at the next court date,
25 whichever is later.

26 (b) Service shall be made upon the respondent at least five (5) days
27 prior to the date of the hearing. If service cannot be made on the
28 respondent, the court may set a new date for the hearing.

29 (c) Nothing in this section shall preclude the court from setting an
30 earlier hearing."

32 SECTION 2. Arkansas Code Annotated § 9-15-206 is amended to read as
33 follows:

34 "9-15-206. Temporary order.

35 (a) When any petition under this chapter alleges an immediate and
36 present danger of domestic abuse and the court finds sufficient evidence to

1 support the petition, the court shall grant a temporary order of protection
 2 pending a full hearing.

3 (b) An ex parte temporary order of protection may include any or all of
 4 the orders provided for in § 9-15-201.

5 (c) A temporary order of protection shall be effective for a fixed
 6 period not to exceed ~~fourteen (14)~~ thirty (30) days.

7 (d) When a temporary order is issued as authorized in this section, a
 8 hearing shall be set for no later than ~~ten (10)~~ thirty (30) days from the
 9 issuance of the temporary order.

10 (e) Upon the issuance of an ex parte temporary order, a copy of the
 11 order together with a copy of the petition (excluding, pursuant to court
 12 order, the address of the petitioner) and notice of the date and place set for
 13 the full hearing shall be served in accordance with applicable rules of
 14 service under the Arkansas Rules of Civil Procedure."

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16 SECTION 3. All provisions of this act of a general and permanent nature
 17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 4. If any provision of this act or the application thereof to
 21 any person or circumstance is held invalid, such invalidity shall not affect
 22 other provisions or applications of the act which can be given effect without
 23 the invalid provision or application, and to this end the provisions of this
 24 act are declared to be severable.

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26 SECTION 5. All laws and parts of laws in conflict with this act are
 27 hereby repealed.

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