

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

A Bill

HOUSE BILL 1814

5 By: Representative Rushing
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE OFFENSE OF HARASSING
9 COMMUNICATIONS; AND FOR OTHER PURPOSES.
10
11

Subtitle

12 CONCERNING THE OFFENSE OF HARASSING
13 COMMUNICATIONS.
14
15
16

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

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)~~ (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)~~ (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)~~ (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.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36