

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

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

Subtitle

11 CONCERNING THE OFFENSE OF VIOLATION OF AN
12 ORDER OF PROTECTION.
13

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 5-53-134(b), concerning the penalties for
19 violation of an order of protection, is amended to read as follows:
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21 (b)(1) Except as provided in subdivision (b)(2) of this section,
22 violation of an order of protection under this section is a Class A
23 misdemeanor.
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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.~~
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