

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H3/29/19

# A Bill

HOUSE BILL 1851

By: Representative Bentley  
By: Senator G. Stubblefield

## For An Act To Be Entitled

AN ACT CONCERNING THE ISSUANCE OF AN ORDER OF  
PROTECTION; AND FOR OTHER PURPOSES.

### Subtitle

CONCERNING THE ISSUANCE OF AN ORDER OF  
PROTECTION.

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

*SECTION 1. Arkansas Code § 9-15-207(b), concerning an order of protection, is amended to read as follows:*

*(b) An order of protection shall include a notice to the respondent or party restrained that:*

*(1) A violation of the order of protection is a Class A misdemeanor carrying a maximum penalty of one (1) ~~year~~ year's imprisonment in the county jail or a fine of up to one thousand dollars (\$1,000), or both;*

*(2) A violation of an order of protection under this section within five (5) years of a previous conviction for violation of an order of protection is a Class D felony;*

*(3) It is unlawful for an individual who is subject to an order of protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition ~~pursuant to~~ under 18 U.S.C. § 922(g)(8) and (9) as it existed on January 1, ~~2007~~ 2019; ~~and~~*

*(4) A conviction of violation of an order of protection under this section within five (5) years of a previous conviction for violation of an order of protection is a Class D felony+;*



(5) A person who is a respondent or an enjoined party is restrained from harassing, stalking, or threatening a person named in an order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party; and

(6) A person who is a respondent or an enjoined party is restrained from engaging in other conduct that would place a person named in an order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party in reasonable fear of bodily injury.

SECTION 2. Arkansas Code § 9-15-207, concerning an order of protection, is amended to add an additional subsection to read as follows:

(h) An order of protection shall include either:

(1) A finding that the respondent presents a credible threat to the physical safety of a person named in an order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party; or

(2) An explicit prohibition against the use, attempted use, or threatened use of physical force against the person named in the order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party which would reasonably be expected to cause bodily injury.

/s/Bentley

APPROVED: 4/11/19