

State of Arkansas  
95th General Assembly  
Regular Session, 2025

# A Bill

HOUSE BILL 1641

By: Representative Clowney

By: Senator B. Davis

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING HARASSMENT; TO  
INCLUDE THE USE OF A TRACKING DEVICE IN THE OFFENSE  
OF HARASSMENT; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING HARASSMENT;  
AND TO INCLUDE THE USE OF A TRACKING  
DEVICE IN THE OFFENSE OF HARASSMENT.

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

SECTION 1. Arkansas Code § 5-71-101, concerning the definitions that concern offenses against public health, safety, or welfare, is amended to add an additional subdivision to read as follows:

(13) "Tracking device" means a device that reveals the location or movement of the device by the transmission of electronic signals.

SECTION 2. Arkansas Code § 5-71-208(a), concerning the offense of harassment, is amended to read as follows:

(a) A person commits the offense of harassment if ~~τ~~:

(1) with With purpose to harass, annoy, or alarm another person, without good cause, he or she:

~~(1)(A)~~ (A) Strikes, shoves, kicks, or otherwise touches a person, subjects that person to offensive physical contact or attempts or threatens to do so;

~~(2)(B)~~ (B) In a public place, directs obscene language or makes an obscene gesture to or at another person in a manner likely to



provoke a violent or disorderly response;

~~(3)(C)~~ Follows a person in or about a public place;

~~(4)(D)~~ In a public place repeatedly insults, taunts, or challenges another person in a manner likely to provoke a violent or disorderly response;

~~(5)(E)~~ Engages in conduct or repeatedly commits an act that alarms or seriously annoys another person and that serves no legitimate purpose; or

~~(6)(F)~~ Places a person under surveillance by remaining present outside that person's school, place of employment, vehicle, other place occupied by that person, or residence, other than the residence of the defendant, for no purpose other than to harass, alarm, or annoy; or

(2)(A) With the purpose of tracking a person, without good cause or legal authority, he or she uses a tracking device to determine the location or movement of a person without the consent of the person.

(B) It is not an offense under subdivision (a)(2)(A) of this section if a parent or legal guardian of a minor uses a tracking device to track the location or movement of the minor.

**APPROVED: 4/14/25**