

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 402

By: Senator G. Leding
By: Representative Clowney

For An Act To Be Entitled

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

Subtitle

CONCERNING THE OFFENSE OF VIOLATION OF AN
ORDER OF PROTECTION.

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

SECTION 1. Arkansas Code § 5-53-134(b), concerning the penalties for violation of an order of protection, is amended to read as follows:

(b)(1) Except as provided in subdivision (b)(2) of this section, violation of an order of protection under this section is a Class A misdemeanor.

(2) Violation of an order of protection under this section is a Class D felony if:

(A) The offense is committed within five (5) years of a previous conviction for violation of an order of protection under this section; and

(B) The order of protection was issued after a hearing of which the person received actual notice and at which the person had an opportunity to participate; ~~and~~

~~(C) The facts constituting the violation on their own merit satisfy the elements of any felony offense or misdemeanor offense, not including an offense provided for in this section.~~

