

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1641

5 By: Representative Clowney
6 By: Senator B. Davis
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For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING HARASSMENT; TO
10 INCLUDE THE USE OF A TRACKING DEVICE IN THE OFFENSE
11 OF HARASSMENT; AND FOR OTHER PURPOSES.
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Subtitle

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15 TO AMEND THE LAW CONCERNING HARASSMENT;
16 AND TO INCLUDE THE USE OF A TRACKING
17 DEVICE IN THE OFFENSE OF HARASSMENT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-71-101, concerning the definitions that
22 concern offenses against public health, safety, or welfare, is amended to add
23 an additional subdivision to read as follows:

24 (13) "Tracking device" means a device that reveals the location
25 or movement of the device by the transmission of electronic signals.
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27 SECTION 2. Arkansas Code § 5-71-208(a), concerning the offense of
28 harassment, is amended to read as follows:

29 (a) A person commits the offense of harassment if ;

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

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

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



1 provoke a violent or disorderly response;

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

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

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

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

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

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

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