

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

As Engrossed: H3/19/25

A Bill

HOUSE BILL 1829

5 By: Representatives Dalby, Evans
6 By: Senator A. Clark
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DOMESTIC ABUSE ACT OF 1991; TO
10 PROVIDE FOR REMOTE TESTIMONY IN CERTAIN INSTANCES IN
11 A HEARING UNDER THE DOMESTIC ABUSE ACT OF 1991; TO
12 AMEND REQUIREMENTS REGARDING SERVICE OF PLEADINGS OR
13 FILINGS UNDER AN ORDER OF PROTECTION MATTER; TO
14 PROVIDE OVERSIGHT FOR A DOMESTIC VIOLENCE
15 INTERVENTION PROGRAM; AND FOR OTHER PURPOSES.
16
17

Subtitle

18 TO AMEND THE DOMESTIC ABUSE ACT OF 1991;
19 TO PROVIDE FOR REMOTE TESTIMONY IN
20 CERTAIN INSTANCES IN A HEARING UNDER THE
21 DOMESTIC ABUSE ACT OF 1991; AND TO
22 PROVIDE OVERSIGHT FOR A DOMESTIC
23 VIOLENCE INTERVENTION PROGRAM.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 9-15-103 is amended to read as follows:
29 9-15-103. Definitions.

30 As used in this chapter:

31 (1) "Commercial mobile radio service" means commercial mobile
32 service as defined in 47 U.S.C. § 332, as it existed on January 1, 2025;

33 (2) "County where the petitioner resides" means the county in
34 which the petitioner physically resides at the time the petition is filed and
35 may include a county where the petitioner is located for a short-term stay in
36 a domestic violence shelter;



1 (3)(A) "Dating relationship" means a romantic or intimate social
2 relationship between two (2) individuals that shall be determined by
3 examining the following factors:

- 4 (i) The length of the relationship;
5 (ii) The type of the relationship; and
6 (iii) The frequency of interaction between the two
7 (2) individuals involved in the relationship.

8 (B) "Dating relationship" does not include a casual
9 relationship or ordinary fraternization between two (2) individuals in a
10 business or social context;

11 (4) "Domestic abuse" means:

12 (A) Physical harm, bodily injury, assault, or the
13 infliction of fear of imminent physical harm, bodily injury, or assault
14 between family or household members; ~~or~~

15 (B) Any sexual conduct between family or household
16 members, whether minors or adults, that constitutes a crime under the laws of
17 this state;

18 (C)(i) A pattern of behavior that in purpose or effect
19 unreasonably interferes with the free will and personal liberty of a person,
20 also known as "course of control".

21 (ii) As used in subdivision (4)(C)(i) of this
22 section, "course of control" means a pattern of behavior that in purpose or
23 effect unreasonably interferes with the free will and personal liberty of a
24 person and includes without limitation the unreasonable:

25 (a) Isolation of a person from his or her
26 friends, relatives, or other sources of support;

27 (b) Deprivation of a person's basic
28 necessities;

29 (c) Control, regulation, or monitoring of a
30 person's movements, communications, daily behavior, finances, economic
31 resources, or access to resources; or

32 (d) Compelling of a person by intimidation,
33 force, threat of force, or threat based on actual or suspected immigration
34 status to engage in conduct from which the person has a right to abstain or
35 to abstain from conduct in which the person has a right to engage; or

36 (D)(i) A pattern of behavior that unreasonably destroys

1 the mental or emotional calm of a family or household member based on the
2 totality of the circumstances, also known as "disturbing the peace".

3 (ii) As used in subdivision (4)(D)(i) of this
4 section, "disturbing the peace" means a pattern of behavior that unreasonably
5 destroys the mental or emotional calm of a family or household member based
6 on the totality of the circumstances and includes without limitation:

7 (a) Molesting the other party;

8 (b) Attacking the other party;

9 (c) Striking the other party;

10 (d) Stalking the other party;

11 (e) Threatening the other party;

12 (f) Sexually assaulting the other party;

13 (g) Battering the other party;

14 (h) Credibly impersonating the other party;

15 (i) Falsely impersonating the other party;

16 (j) Harassing the other party;

17 (k) Telephoning the other party with the
18 intent to harass the other party;

19 (l) Destroying the personal property of the
20 other party;

21 (m) Directly or indirectly contacting the
22 other party with the intent to harass the other party;

23 (n) Coming within a specified distance of the
24 other party;

25 (o) Disturbing the peace of the other party;

26 (p) Disturbing the peace of a family member or
27 household member of the other party; or

28 (q) Any other act that the court determines
29 should be enjoined;

30 (5) "Family or household members" means spouses, former spouses,
31 parents and children, persons related by blood within the fourth degree of
32 consanguinity, in-laws, any children residing in the household, persons who
33 presently or in the past have resided or cohabited together, persons who have
34 or have had a child in common, and persons who are presently or in the past
35 have been in a dating relationship together;

36 (6) "In-laws" means persons related by marriage within the

1 second degree of consanguinity; and

2 (7) "Wireless telephone service provider" means a commercial
3 mobile radio service provider or reseller.

4

5 SECTION 2. Arkansas Code § 9-15-201 is amended to read as follows:

6 9-15-201. Petition – Requirements generally.

7 (a) All petitions under this chapter shall be verified.

8 (b) The petition shall be filed with the circuit clerk in the county
9 where the petitioner resides, where the alleged incident of abuse occurred,
10 or where the respondent may be served.

11 ~~(c)(1) A petition for relief under this chapter may be filed in the~~
12 ~~circuit court.~~

13 ~~(2) A petition for relief under this chapter may be filed in a~~
14 ~~pilot district court if the jurisdiction is established by the Supreme Court~~
15 ~~under Arkansas Constitution, Amendment 80, § 7, and if the cases are assigned~~
16 ~~to the pilot district court through the administrative plan under Supreme~~
17 ~~Court Administrative Order No. 14.~~

18 ~~(d)~~ A petition may be filed by:

19 (1) Any adult family or household member on behalf of himself or
20 herself;

21 (2) Any adult family or household member on behalf of another
22 family or household member who is a minor, including a married minor;

23 (3) Any adult family or household member on behalf of another
24 family or household member who has been adjudicated an incompetent; or

25 (4) An employee or volunteer of a domestic-violence shelter or
26 program on behalf of a minor, including a married minor.

27 ~~(e)~~(d)(1) A petition for relief shall:

28 (A) Allege the existence of domestic abuse;

29 (B) Disclose the existence of any pending litigation
30 between the parties; and

31 (C) Disclose any prior filings of a petition for an order
32 of protection under this chapter.

33 (2) The petition shall be accompanied by an affidavit made under
34 oath that states the specific facts and circumstances of the domestic abuse
35 and the specific relief sought.

36 ~~(f)~~(e) The petition may be filed regardless of whether there is any

1 pending litigation between the parties.

2 ~~(g)(f)~~ A person's right to file a petition, or obtain relief ~~hereunder~~
3 under this section shall not be affected by his or her leaving the residence
4 or household to avoid abuse.

5
6 SECTION 3. Arkansas Code § 9-15-203 is amended to read as follows:
7 9-15-203. Petition – Form.

8 (a) The circuit clerk shall provide simplified forms and clerical
9 assistance to help petitioners with the writing and filing of a petition
10 under this chapter if the petitioner is not represented by counsel.

11 (b)(1) The Arkansas Child Abuse/Rape/Domestic Violence Commission
12 shall develop an informational pamphlet that provides information on domestic
13 violence resources in consultation with experts on domestic abuse prevention
14 and intervention.

15 (2) The circuit clerk shall provide the informational pamphlet
16 developed under subdivision (b)(1) of this section.

17 ~~(b)(c)~~ The petition form shall not require or suggest that a
18 petitioner include his or her Social Security number or the Social Security
19 number of the respondent in the petition.

20 ~~(e)(d)~~(1)(A) A petitioner may omit his or her home address or business
21 address from all documents filed with the court.

22 (B) If a petitioner omits his or her home address, the
23 petitioner shall provide the court with a mailing address.

24 (2) If disclosure of a petitioner's home address is necessary to
25 determine jurisdiction or consider venue, the court may order the disclosure
26 of the petitioner's home address:

27 (A) After receiving the petitioner's consent;

28 (B) Orally and in chambers, out of the presence of the
29 respondent, and a sealed record to be made; or

30 (C) After a hearing, if the court takes into consideration
31 the safety of the petitioner and finds the disclosure in the interest of
32 justice.

33 ~~(d)(e)~~ The petition may be in substantially the following form:

34 "Petition for Order of Protection
35
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Case No. _____

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Petitioner

Date of Birth

Petitioner's home address:

Petitioner's work address:

vs.

Respondent

Date of Birth,
if known

Respondent's home address:

Respondent's work address:

_____ I am the petitioner and _____ at least 18 years of age _____ under 18 but emancipated.

_____ I am filing on behalf of myself.

_____ I am filing on behalf of a family or household member who is:

_____ a minor(s): (list) _____

_____ an adjudicated incompetent person: (list) _____

_____ The respondent is _____ at least 18 years of age _____ under 18 but emancipated.

_____ I am an employee or volunteer of a domestic violence shelter or program, and I am filing on behalf of a minor.

The respondent and petitioner (or victim if filing on behalf of a minor or incompetent person): (check all that apply)

_____ Are spouses; _____ Are related by blood;

_____ Are parent and child; _____ Currently reside together or cohabit;

_____ Are former spouses; _____ Formerly resided together or cohabitated;

_____ Have or have had a child in common;

or _____ Are presently or in the past have been in a dating relationship.

1 If order of protection of children is requested:

2 Children Date of Birth Address Relationship to Parties

3 _____

4 _____

5 _____

6 _____

7 The respondent has committed domestic abuse to the petitioner or victim by
8 the following acts: (describe)

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 I am afraid of the respondent and: (describe)

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____ (1) There is an immediate and present danger of domestic abuse
26 to me; or

27 _____ (2) The respondent is scheduled to be released from
28 incarceration within thirty (30) days and upon the respondent's release there
29 will be an immediate and present danger of domestic abuse to me.

30 The reasons are as follows: (describe)

31 _____

32 _____

33 _____

34 _____

35 _____

36 _____ Petitioner requests that the court issue an ex parte order of

1 protection with the following provisions: (check all that apply)

2 _____ Excluding the respondent from a shared residence or from the residence
3 of the petitioner or victim. Address of residence:

4 _____

5 _____ Excluding the respondent from the place of business, employment,
6 school, or other location of the petitioner or victim. Address of residence:

7 _____

8 _____ Excluding the respondent from the place of business, employment,
9 school, or other location of the petitioner or victim. Address of:

10 Place of business: _____

11 Employment: _____

12 School: _____

13 Other (identify): _____

14 Prohibiting the respondent, directly or through an agent, from contacting the
15 petitioner or victim, except under the following conditions:

16 _____

17 _____

18 _____

19 _____ Awarding temporary custody of minor children as follows:

20 Child's Name and Name of Person to Receive Custody

21 _____

22 _____

23 _____

24 _____

25 _____ Requiring the respondent to pay child support in the amount of
26 \$_____ per child per month

27 _____ Requiring the respondent to pay spousal support in the amount of
28 \$_____ per month

29 _____ Excluding the petitioner's address from notice to the respondent

30 _____ It is further requested that upon hearing, the court issue a full
31 order of protection with the following provisions: (check all that apply)

32 _____ Excluding the respondent from the shared residence or from the
33 residence of the petitioner or victim. Address of the

34 residence: _____

35 _____ Excluding the respondent from the place of business, employment,
36 school, or other location of the petitioner or victim. Address of:

1 Place of business: _____

2 Employment: _____

3 School: _____

4 Other (identify): _____

5 _____ Awarding temporary custody of minor children as follows:

6 Child's Name and Name of Person to Receive Custody

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____ Requiring the respondent to pay child support in the amount of

13 \$_____ per child per month

14 _____ Requiring the respondent to pay spousal support in the amount of

15 \$_____ per month

16 _____ Requiring the respondent to pay filing fees, service fees, court costs
17 and petitioner's attorney fees.

18 _____ I am involved in pending litigation with the respondent in the case
19 of:

20 Case No.: _____

21 Circuit or District Judge: _____

22 County or City: _____

23 _____ I have previously filed a petition for an order of protection against
24 the respondent in the following case or cases:

25 Case No.: _____

26 Circuit Judge: _____

27 County: _____

28 The petitioner under oath states that the facts stated in the above petition
29 are true according to the petitioner's best knowledge and belief.

30 _____

31 Date

32

33 _____

34 Petitioner's signature

35

36 STATE OF ARKANSAS

1 COUNTY OF _____

2 Subscribed and sworn to before me this _____ day of

3 _____, 20____.

4

5 _____

6 Notary Public

7 My Commission Expires:

8 _____".

9

10 SECTION 4. Arkansas Code § 9-15-205(a), concerning the relief that a
11 court may order upon a hearing for a petition for an order of protection
12 under the Domestic Abuse Act of 1991, is amended to read as follows:

13 (a) At the hearing on the petition filed under this chapter, upon a
14 finding of domestic abuse as defined in § 9-15-103, the court may provide the
15 following relief:

16 (1) Exclude the abusing party from the dwelling that the parties
17 share or from the residence of the petitioner or victim;

18 (2) Exclude the abusing party from the place of business or
19 employment, school, or other location of the petitioner or victim;

20 (3)(A) Award temporary custody or establish temporary visitation
21 rights with regard to minor children of the parties.

22 (B)(i) If a previous child custody or visitation
23 determination has been made by another court with continuing jurisdiction
24 with regard to the minor children of the parties, a temporary child custody
25 or visitation determination may be made under subdivision (a)(3)(A) of this
26 section.

27 (ii) The order shall remain in effect until the court
28 with original jurisdiction enters a subsequent order regarding the children;

29 (4) Order temporary support for minor children or a spouse, with
30 such support to be enforced in the manner prescribed by law for other child
31 support and alimony awards;

32 (5) Allow the prevailing party a reasonable attorney's fee as
33 part of the costs;

34 (6) Prohibit the abusing party directly or through an agent from
35 contacting the petitioner or victim except under specific conditions named in
36 the order;

1 (7) Direct the exclusive care, possession, custody, or control
2 of any ~~pet~~ animal owned, possessed, leased, kept, or held by: ~~either party~~
3 ~~residing in the household; and~~

4 (A) The petitioner;

5 (B) The respondent; or

6 (C) A minor residing in the residence or household of
7 either the petitioner or the respondent;

8 (8)(A) The court may order the respondent to refrain from:

9 (i) Coming into contact with the animal; or

10 (ii) Taking, transferring, encumbering, concealing,
11 molesting, attacking, striking, threatening, harming, or disposing of the
12 animal;

13 (B) Subdivision (8)(A) of this section does not limit any
14 other remedy available to a petitioner by another provision of law;

15 (9) Prohibit the respondent from taking any action that could
16 result in the termination of any necessary utility service or another
17 necessary service related to the family dwelling or the dwelling of the
18 petitioner;

19 (10) Prohibit the respondent from taking any action that could
20 result in the cancellation or change of coverage or change of beneficiary of
21 any health, automobile, or homeowner's insurance policy to the detriment of
22 the petitioner or a dependent child in common of the petitioner and
23 respondent;

24 (11) Prohibit the respondent from transferring, encumbering,
25 concealing, or disposing of specified property owned or leased by the
26 petitioner;

27 (12) Provide the petitioner with temporary possession of an
28 automobile, debit card, credit card, checkbook, documentation related to
29 financial accounts, documentation related to the petitioner's health,
30 documentation related to automobile or homeowner's insurance, documentation
31 related to proving identity, a key, or other necessary specified personal
32 effects;

33 (13) Order the respondent to complete a domestic violence
34 intervention program;

35 (14) Order the appointment of an attorney ad litem under Admin.
36 Order No. 15.1 to represent any minor child or children; or

1 ~~(8)~~(15)(A) Order other relief as the court deems necessary or
2 appropriate for the protection of a family or household member.

3 (B) The relief may include, ~~but not be limited to,~~ without
4 limitation enjoining and restraining the abusing party from doing, attempting
5 to do, or threatening to do any act injuring, mistreating, molesting, or
6 harassing the petitioner.

7
8 SECTION 5. Arkansas Code § 9-15-219 is repealed.

9 ~~9-15-219. Order of protection—Course of control—Definitions.~~

10 ~~(a) As used in this section:~~

11 ~~(1)(A) “Course of control” means a pattern of behavior that in~~
12 ~~purpose or effect unreasonably interferes with the free will and personal~~
13 ~~liberty of a person.~~

14 ~~(B) “Course of control” includes without limitation the~~
15 ~~following:~~

16 ~~(i) Unreasonably isolating a person from his or her~~
17 ~~friends, relatives, or other sources of support;~~

18 ~~(ii) Unreasonably depriving a person of basic~~
19 ~~needs;~~

20 ~~(iii) Unreasonably controlling, regulating, or~~
21 ~~monitoring a person’s movements, communications, daily behavior, finances,~~
22 ~~economic resources, or access to resources; and~~

23 ~~(iv) Unreasonably compelling a person by~~
24 ~~intimidation, force, threat of force, or threat based on actual or suspected~~
25 ~~immigration status to engage in conduct from which the person has a right to~~
26 ~~abstain or to abstain from conduct in which the person has a right to engage;~~
27 ~~and~~

28 ~~(2)(A) “Disturbing the peace” means a pattern of behavior that~~
29 ~~unreasonably destroys the mental or emotional calm of a family or household~~
30 ~~member based on the totality of the circumstances.~~

31 ~~(B) “Disturbing the peace” includes without limitation~~
32 ~~course of control.~~

33 ~~(b) A court may enter an ex parte order enjoining a party from~~
34 ~~engaging in course of control or disturbing the peace, including without~~
35 ~~limitation through one (1) or more of the following acts:~~

36 ~~(1) Molesting the other party;~~

1 ~~(2) Attacking the other party;~~
2 ~~(3) Striking the other party;~~
3 ~~(4) Stalking the other party;~~
4 ~~(5) Threatening the other party;~~
5 ~~(6) Sexually assaulting the other party;~~
6 ~~(7) Battering the other party;~~
7 ~~(8) Credibly impersonating the other party;~~
8 ~~(9) Falsely impersonating the other party;~~
9 ~~(10) Harassing the other party;~~
10 ~~(11) Telephoning the other party with the intent to harass the~~
11 ~~other party;~~
12 ~~(12) Destroying the personal property of the other party;~~
13 ~~(13) Directly or indirectly contacting the other party with the~~
14 ~~intent to harass the other party;~~
15 ~~(14) Coming within a specified distance of the other party;~~
16 ~~(15) Disturbing the peace of the other party;~~
17 ~~(16) Disturbing the peace of a family member or household member~~
18 ~~of the other party; or~~
19 ~~(17) Any other act that the court determines should be enjoined.~~
20 ~~(c)(1) Upon a showing of good cause, an order of protection may~~
21 ~~include an order granting the petitioner the exclusive care, possession, or~~
22 ~~control of an animal owned, possessed, leased, kept, or held by:~~
23 ~~(A) The petitioner;~~
24 ~~(B) The respondent; or~~
25 ~~(C) A minor residing in the residence or household of~~
26 ~~either the petitioner or respondent.~~
27 ~~(2) The court may order the respondent to refrain from:~~
28 ~~(A) Coming into contact with the animal; or~~
29 ~~(B) Taking, transferring, encumbering, concealing,~~
30 ~~molesting, attacking, striking, threatening, harming, or otherwise disposing~~
31 ~~of the animal.~~
32 ~~(d) This section does not limit any other remedy available to a~~
33 ~~petitioner by another provision of law.~~
34

35 SECTION 6. Arkansas Code Title 9, Chapter 15, Subchapter 2, is amended
36 to add additional sections to read as follows:

1 9-15-220. Hearing – Ability of party or child to appear outside the
2 physical presence of the other party.

3 (a) The court may allow the testimony of a party or a child who is the
4 subject of a proceeding under this chapter to be taken outside the physical
5 presence of any other party.

6 (b) This section does not limit any party’s right to cross-examine a
7 witness whose testimony is taken in a room other than the courtroom in
8 accordance with an order made under this section.

9
10 9-15-221. Sheriff’s office – Duties.

11 (a) The sheriff’s office in every county in the state shall designate
12 at least one (1) officer to serve petitions, notices of hearing, ex parte
13 orders of protection, and final orders of protection on a respondent under
14 this subchapter.

15 (b)(1) The designated officer shall:

16 (A) Attempt to serve the respondent within two (2) hours
17 of receiving the document;

18 (B) Keep a record of every attempt made to serve the
19 respondent;

20 (C) Maintain a log detailing each attempt to serve the
21 respondent, including without limitation the date, time, and address related
22 to each attempt made.

23 (2) If the respondent is in a county other than the county where
24 the petition was filed, the designated officer in the county where the
25 respondent is located shall perform the duties included listed in subdivision
26 (b)(1) of this section.

27 (c) The circuit clerk shall immediately provide the petition, ex parte
28 temporary order, if granted, and notice of hearing to the designated officer.

29 (d)(1) The county sheriff shall immediately enter or cause to be
30 entered any orders and subsequent modifications or cancellations made under
31 this subchapter into the registry of orders of protection and temporary
32 orders of protection order under § 12-12-215.

33 (2) If the county sheriff does not have a center terminal and
34 entries are made by another agency that does have a center terminal, the
35 agency with the center terminal shall make such entries immediately upon
36 receipt of information from the county sheriff.

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9-15-222. Violation of order of protection – Expedited hearing.

(a) An expedited hearing shall be scheduled when a motion for contempt is filed that alleges a violation of an order of protection.

(b) A request for relief under this section shall not preclude a party from seeking any other civil or criminal relief.

9-15-223. Domestic violence intervention programs – Definition – Purpose.

(a) As used in this section, "batterer intervention program or a domestic violence intervention program" means a certified intervention program that:

(1) Provides classes to individuals who commit acts of domestic violence or abuse; and

(2) Offers nonviolent strategies and values that promote respect and equality in a dating relationship.

(b) The purpose of a batterer intervention program or a domestic violence intervention program is to:

(1) Hold batterers accountable;

(2) Promote safety for victims;

(3) Interrupt, avoid, and end domestic violence and abuse; and

(4) Recognize that a participant in a batterer intervention program or a domestic violence intervention program may need additional services for mental health treatment, drug and alcohol treatment, parenting education, or other issues, and aid that participant in the connection to those services.

(c) The Arkansas Child Abuse/Rape/Domestic Violence Commission shall be responsible for certification of a batterer intervention program or a domestic violence intervention program.

(d) A batterer intervention program or a domestic violence intervention program shall operate within a framework of the following fundamental tenets:

(1) Battery or domestic abuse is a pattern of behavior and not a singular event;

(2) While battery or domestic abuse is not an addiction or disease and not caused by alcohol or substance abuse, alcohol or substance

1 abuse can be an aggravating factor and should be addressed;

2 (3) A batterer or a domestic abuser is solely responsible for
3 his or her actions and must be held accountable for his or her violence and
4 abuse;

5 (4) A batterer intervention program or a domestic violence
6 intervention program service provider may provide factual information, but he
7 or she shall not participate as an advocate for a batterer or a domestic
8 abuser in a court setting; and

9 (5) Family reunification services to address behavior that
10 constitutes battery or domestic abuse are:

11 (A) Inappropriate as the primary intervention; and

12 (B) Should not be used in the beginning stages of the
13 batterer intervention program or a domestic violence intervention program or
14 while violence is still occurring.

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16 */s/Dalby*
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