

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 1385 of 2003
HOUSE BILL 1904

5 By: Representative Elliott
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For An Act To Be Entitled

9 AN ACT TO UPDATE SEX OFFENSES CONCERNING
10 BACKGROUND CHECKS ON PSYCHOLOGISTS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 AN ACT TO UPDATE SEX OFFENSES CONCERNING
15 BACKGROUND CHECKS ON PSYCHOLOGISTS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 17-97-312(f), concerning background checks
21 on psychologists, is amended to read as follows:

22 (f) No person shall be eligible to receive or hold a license issued by
23 the board if that person has pleaded guilty or nolo contendere to or been
24 found guilty of any of the following offenses by any court in the State of
25 Arkansas or of any similar offense by a court in another state or of any
26 similar offense by a federal court:

27 (1) Capital murder, as prohibited in § 5-10-101;

28 (2) Murder in the first degree and second degree, as prohibited
29 in §§ 5-10-102 and 5-10-103;

30 (3) Manslaughter, as prohibited in § 5-10-104;

31 (4) Negligent homicide, as prohibited in § 5-10-105;

32 (5) Kidnapping, as prohibited in § 5-11-102;

33 (6) False imprisonment in the first degree, as prohibited in §
34 5-11-103;

35 (7) Permanent detention or restraint, as prohibited in § 5-11-
36 106;



- 1 (8) Robbery, as prohibited in § 5-12-102;
- 2 (9) Aggravated robbery, as prohibited in § 5-12-103;
- 3 (10) Battery in the first degree, as prohibited in § 5-13-201;
- 4 (11) Aggravated assault, as prohibited in § 5-13-204;
- 5 (12) Introduction of controlled substance into body of another
- 6 person, as prohibited in § 5-13-210;
- 7 (13) Terroristic threatening in the first degree, as prohibited
- 8 in § 5-13-301;
- 9 (14) Rape ~~and carnal abuse in the first degree, second degree,~~
- 10 ~~and third degree~~, as prohibited in §§ 5-14-103 ~~and 5-14-104~~ ~~5-14-106~~
- 11 ~~{repealed}~~;
- 12 ~~(15) Sexual abuse in the first degree and second degree, as~~
- 13 ~~prohibited in §§ 5-14-108 {repealed} and 5-14-109 {repealed}~~;
- 14 ~~(16)~~(15) Sexual indecency with a child, as prohibited in § 5-14-
- 15 110;
- 16 ~~(17) Violation of a minor in the first degree and second degree,~~
- 17 ~~as prohibited in §§ 5-14-120 {repealed} and 5-14-121 {repealed}~~;
- 18 (16) Sexual assault in the first degree, second degree, third
- 19 degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;
- 20 ~~(18)~~(17) Incest, as prohibited in § 5-26-202;
- 21 ~~(19)~~(18) Offenses against the family, as prohibited in §§ 5-26-
- 22 303 - 5-26-306;
- 23 ~~(20)~~(19) Endangering the welfare of incompetent person in the
- 24 first degree, as prohibited in § 5-27-201;
- 25 ~~(21)~~(20) Endangering the welfare of a minor in the first degree,
- 26 as prohibited in § 5-27-203;
- 27 ~~(22)~~(21) Permitting abuse of a child, as prohibited in § 5-27-
- 28 221(a)(1) and (3);
- 29 ~~(23)~~(22) Engaging children in sexually explicit conduct for use
- 30 in visual or print media, transportation of minors for prohibited sexual
- 31 conduct, or pandering or possessing visual or print medium depicting sexually
- 32 explicit conduct involving a child, or use of a child or consent to use of a
- 33 child in a sexual performance by producing, directing, or promoting a sexual
- 34 performance by a child, as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402,
- 35 and 5-27-403;
- 36 ~~(24)~~(23) Felony adult abuse, as prohibited in § 5-28-103;

1 ~~(25)~~(24) Theft of property, as prohibited in § 5-36-103;
2 ~~(26)~~(25) Theft by receiving, as prohibited in § 5-36-106;
3 ~~(27)~~(26) Arson, as prohibited in § 5-38-301;
4 ~~(28)~~(27) Burglary, as prohibited in § 5-39-201;
5 ~~(29)~~(28) Felony violation of the Uniform Controlled Substances
6 Act, §§ 5-64-101 - 5-64-608, as prohibited in § 5-64-401;
7 ~~(30)~~(29) Promotion of prostitution in the first degree, as
8 prohibited in § 5-70-104;
9 ~~(31)~~(30) Stalking, as prohibited in § 5-71-229; and
10 ~~(32)~~(31) Criminal attempt, criminal complicity, criminal
11 solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202,
12 5-3-301, and 5-3-401, to commit any of the offenses listed in this
13 subsection.

APPROVED: 4/15/2003

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