

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 1389 of 2003
HOUSE BILL 1908

5 By: Representative Elliott
6
7

For An Act To Be Entitled

9 AN ACT TO UPDATE SEX OFFENSES FOR BACKGROUND
10 CHECKS FOR TEACHER LICENSE APPLICANTS; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13 AN ACT TO UPDATE SEX OFFENSES FOR
14 BACKGROUND CHECKS FOR TEACHER LICENSE
15 APPLICANTS.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 6-17-410(c), concerning criminal offenses
22 which make applicants ineligible for a teaching license, is amended to read
23 as follows:

24 (c) The board shall not issue a first-time license nor renew an
25 existing license and shall revoke any existing license not up for renewal of
26 any person who has pleaded guilty or nolo contendere to or has been found
27 guilty of any of the following offenses by any court in the State of Arkansas
28 or of any similar offense by a court in another state or of any similar
29 offense by a federal court, but only after an opportunity for a hearing
30 before the board upon reasonable notice in writing:

- 31 (1) Capital murder, as prohibited in § 5-10-101;
32 (2) Murder in the first degree and second degree, as prohibited
33 in §§ 5-10-102 and 5-10-103;
34 (3) Manslaughter, as prohibited in § 5-10-104;
35 (4) Battery in the first degree and second degree, as prohibited
36 in §§ 5-13-201 and 5-13-202;



- 1 (5) Aggravated assault, as prohibited in § 5-13-204;
- 2 (6) Terroristic threatening in the first degree, as prohibited
- 3 in § 5-13-301;
- 4 (7) Kidnapping, as prohibited in § 5-11-102;
- 5 (8) Rape and carnal abuse in the first degree and second degree,
- 6 as prohibited in § 5-14-103 — 5-14-105;
- 7 ~~(9) Sexual abuse in the first degree and second degree, as~~
- 8 ~~prohibited in §§ 5-14-108 and 5-14-109;~~
- 9 ~~(10) Violation of a minor in the first degree and second degree,~~
- 10 ~~as prohibited in §§ 5-14-120 and 5-14-121;~~
- 11 (9) Sexual assault in the first degree, second degree, third
- 12 degree, and fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;
- 13 ~~(11)~~(10) Incest, as prohibited in § 5-26-202;
- 14 ~~(12)~~(11) Engaging children in sexually explicit conduct for use
- 15 in visual or print media, transportation of minors for prohibited sexual
- 16 conduct, or use of a child or consent to use of a child in a sexual
- 17 performance by producing, directing, or promoting a sexual performance by a
- 18 child, as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;
- 19 ~~(13)~~(12) Distribution to minors, as prohibited in § 5-64-406;
- 20 ~~(14)~~(13) The manufacture, delivery, or possession with intent to
- 21 manufacture or deliver any controlled substance, as prohibited in § 5-64-401;
- 22 ~~(15) Carnal abuse in the third degree, as prohibited in § 5-14-~~
- 23 ~~106;~~
- 24 ~~(16)~~(14) Sexual indecency with a child, as prohibited in § 5-14-
- 25 110;
- 26 ~~(17)~~(15) Endangering the welfare of a minor in the first degree,
- 27 as prohibited in § 5-27-203;
- 28 ~~(18)~~(16) Pandering or possessing visual or print medium
- 29 depicting sexually explicit conduct involving a child, as prohibited by § 5-
- 30 27-304;
- 31 ~~(19)~~(17) False imprisonment in the first degree, as prohibited
- 32 in § 5-11-103;
- 33 ~~(20)~~(18) Permanent detention or restraint, as prohibited in § 5-
- 34 11-106;
- 35 ~~(21)~~(19) Permitting child abuse, as prohibited in § 5-27-
- 36 221(a)(1) and (3);

1 ~~(22)~~(20) Negligent homicide, as prohibited by § 5-10-105(a);
2 ~~(23)~~(21) Assault in the first degree, as prohibited by § 5-13-
3 205;
4 ~~(24)~~(22) Coercion, as prohibited by § 5-13-208;
5 ~~(25)~~ Sexual misconduct, as prohibited by § 5-14-107;
6 ~~(26)~~(23) Public sexual indecency, as prohibited by § 5-14-111;
7 ~~(27)~~(24) Indecent exposure, as prohibited by § 5-14-112;
8 ~~(28)~~(25) Endangering the welfare of a minor in the second
9 degree, as prohibited by § 5-27-204; and
10 ~~(29)~~(26) Criminal attempt, criminal solicitation, or criminal
11 conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to
12 commit any of the offenses listed in this subsection (c).

APPROVED: 4/15/2003

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36