

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 1388 of 2003  
HOUSE BILL 1907

5 By: Representative Elliott  
6  
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## For An Act To Be Entitled

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

### Subtitle

12 AN ACT TO UPDATE SEX OFFENSES FOR  
13 BACKGROUND CHECKS ON COUNSELORS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 17-27-313(f), concerning background checks  
20 for counselors, is amended to read as follows:

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

- 26 (1) Capital murder, as prohibited in § 5-10-101;
- 27 (2) Murder in the first degree and second degree, as prohibited  
28 in §§ 5-10-102 and 5-10-103;
- 29 (3) Manslaughter, as prohibited in § 5-10-104;
- 30 (4) Negligent homicide, as prohibited in § 5-10-105;
- 31 (5) Kidnapping, as prohibited in § 5-11-102;
- 32 (6) False imprisonment in the first degree, as prohibited in §  
33 5-11-103;
- 34 (7) Permanent detention or restraint, as prohibited in § 5-11-  
35 106;
- 36 (8) Robbery, as prohibited in § 5-12-102;



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- 10 ~~{repealed}~~;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- 12 ~~prohibited in §§ 5-14-108 {repealed} and 5-14-109 {repealed}~~;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

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

APPROVED: 4/15/2003

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