



*Arkansas
Sentencing
Commission*

**Impact Assessment for HB1676
Sponsored by Representative D. Meeks**

Subtitle TO PROHIBIT RE-HOMING OF A CHILD.

Impact Summary¹ Cannot be determined. This bill creates a new offense; therefore, data is not available for the number of occurrences of this course of conduct.

Change from current law² Amends Arkansas Code Title 5, Chapter 27, Subchapter 2, by creating an additional section: § 5-27-211, Re-homing of a minor. This provision creates a definition for relative, a definition of transaction, a penalty for re-homing a minor, and exceptions to what acts constitute the offense.

Under the proposed bill, there are three ways in which a person commits the offense of re-homing of a minor:

- A.C.A. § 5-27-211 (b)(1)(A): If a person knowingly engages in a transaction or an action taken to facilitate a transaction through electronic means or otherwise by a parent, an individual, or an entity having custody of a minor that is taken (i) without court approval; and (ii) except as provided under subsection (c) of this section, to avoid permanent parental responsibility by placing the minor in the physical custody of another person or entity.
- A.C.A. § 5-27-211 (b)(2): If a person knowingly engages in the selling, transferring, or arranging for the sale or transfer of a minor to another person or entity for money or anything of value or to receive.
- A.C.A. § 5-27-211 (b)(3): If a person knowingly engages in assisting, aiding, abetting, or conspiring in the commission of an act described in (b)(1) or (b)(2) of this section by a person or an entity, regardless of whether money or anything of value has been promised to or received by a person or entity.

Re-homing of a minor is an unclassified felony with a term of imprisonment of not more than five (5) years and a fine of not more than five thousand dollars (\$5,000).

¹ This impact assessment was prepared (3/9/2015, 5:25 p.m.) by the staff of the Arkansas Sentencing Commission pursuant to A. C. A. § 16-90-802(d)(6) with data supplied by the Arkansas Department of Correction and the Administrative Office of the Courts. A micro-simulation model may be used for bills which have the potential for significant impact on correctional resources. The following designations will be used: “minimal” = less than 10 offenders per year will be affected; “medium” = would require budgetary increases for ADC inmate costs; and “major” = would require budgetary increases for ADC inmate costs and construction costs for additional beds.

² Standard punishment ranges:

Class Y	10-40 years or life
Class A	6-30 years; up to \$15,000
Class B	5-20 years; up to \$15,000

Class C	3-10 years; up to \$10,000
Class D	0-6 years; up to \$10,000
Unclassified	As specified in statute

Misdemeanors	
Class A	Up to 1 year; up to \$2,500
Class B	Up to 90 days; up to \$1,000
Class C	Up to 30 days; up to \$500