

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1808

5 By: Representative Hammer
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF SEXUAL EXTORTION;
9 INCLUDING THE OFFENSE OF SEXUAL EXTORTION IN LISTS OF
10 DISQUALIFYING OFFENSES FOR CERTAIN EMPLOYMENT OR
11 LICENSURE; TO INCLUDE SEXUAL EXTORTION AS AN OFFENSE
12 FOR WHICH A PERSON IS REQUIRED TO REGISTER AS A SEX
13 OFFENDER; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 TO CREATE THE OFFENSE OF SEXUAL
17 EXTORTION; INCLUDING SEXUAL EXTORTION AS
18 A DISQUALIFYING OFFENSE FOR CERTAIN
19 EMPLOYMENT OR LICENSURE; AND TO INCLUDE
20 SEXUAL EXTORTION AS AN OFFENSE REQUIRING
21 REGISTRATION AS A SEX OFFENDER.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 5-14-101, concerning definitions for sexual
28 offenses, is amended to add additional subdivisions to read as follows:

29 (12) "Recording" includes without limitation an image or video;

30 (13) "Sexually explicit conduct" means the same as defined in §

31 5-27-302; and

32 (14) "State of nudity" means the same as defined in § 5-26-302.
33

34 SECTION 2. Arkansas Code Title 5, Chapter 14, Subchapter 1, is amended
35 to add an additional section to read as follows:

36 5-14-113. Sexual extortion.



1 (a) A person commits the offense of sexual extortion if:

2 (1) With the purpose to coerce another person to engage in
3 sexual contact or sexually explicit conduct, the person communicates a threat
4 to:

5 (A) Damage the property or harm the reputation of the
6 other person; or

7 (B) Produce or distribute a recording of the other person
8 engaged in sexually explicit conduct or depicted in a state of nudity;

9 (2) With the purpose to produce or distribute a recording of a
10 person in a state of nudity or engaged in sexually explicit conduct, the
11 person communicates a threat to:

12 (A) Damage the property or harm the reputation of the
13 other person; or

14 (B) Produce or distribute a recording of the other person
15 engaged in sexually explicit conduct or depicted in a state of nudity; or

16 (3) The person knowingly causes another person to engage in
17 sexual contact or sexually explicit conduct or to produce or distribute a
18 recording of a person in a state of nudity or engaged in sexually explicitly
19 conduct by communicating a threat to:

20 (A) Damage the property or harm the reputation of the
21 other person; or

22 (B) Produce or distribute a recording of the other person
23 engaged in sexually explicit conduct or depicted in a state of nudity.

24 (b) Sexual extortion is a Class B felony.
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26 SECTION 3. Arkansas Code § 6-17-410(c), concerning offenses for which
27 a person is disqualified from being eligible to receive or hold a license as
28 teacher at an elementary or secondary educational entity, is amended to add
29 an additional subdivision to read as follows:

30 (45) Sexual extortion, § 5-14-113.
31

32 SECTION 4. Arkansas Code § 6-17-414(b), concerning offenses for which
33 a person is disqualified from employment as nonlicensed staff at an
34 educational entity, is amended to add an additional subdivision to read as
35 follows:

36 (45) Sexual extortion, § 5-14-113.

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2 SECTION 5. Arkansas Code § 9-28-409(e)(3), concerning offenses for
3 which a person is required to have a criminal records check in order to be
4 eligible to have direct and unsupervised contact with a child in the care of
5 a child welfare agency, is amended to add an additional subdivision to read
6 as follows:

7 (L)(L)(L) Sexual extortion, § 5-14-113.

8
9 SECTION 6. Arkansas Code § 12-12-104(f)(2), concerning a list of sex
10 offenses used in crime reporting and investigations, is amended to add an
11 additional subdivision to read as follows:

12 (R) Sexual extortion, § 5-14-113.

13
14 SECTION 7. Arkansas Code § 12-12-903(13)(A)(i), concerning the list of
15 sexual offenses for which a person is required to register as a sex offender,
16 is amended to add an additional subdivision to read as follows:

17 (ee) Sexual extortion, § 5-14-113.

18
19 SECTION 8. Arkansas Code § 16-90-1101(6), concerning a list of sex
20 offenses used regarding the rights of a victim of a crime, is amended to add
21 an additional subdivision to read as follows:

22 (S) Sexual extortion, § 5-14-113.

23
24 SECTION 9. Arkansas Code § 17-17-312(f), concerning offenses for which
25 a person is disqualified from being eligible to receive or hold a license as
26 an auctioneer, is amended to add an additional subdivision to read as
27 follows:

28 (32) Sexual extortion, § 5-14-113.

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30 SECTION 10. Arkansas Code § 17-27-313(e), concerning offenses for
31 which a person is disqualified from being eligible to receive or hold a
32 license as a counselor, is amended to add an additional subdivision to read
33 as follows:

34 (34) Sexual extortion, § 5-14-113.

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36 SECTION 11. Arkansas Code § 17-87-312(e), concerning offenses for

1 which a person is disqualified from being eligible to receive or hold a
2 license as a nurse, is amended to add an additional subdivision to read as
3 follows:

4 (34) Sexual extortion, § 5-14-113.

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6 SECTION 12. Arkansas Code § 17-87-312(1)(2), concerning offenses for
7 which a person is permanently disqualified from being eligible to receive or
8 hold a license as a nurse, is amended to add an additional subdivision to
9 read as follows:

10 (K) Sexual extortion, § 5-14-113.

11
12 SECTION 13. Arkansas Code § 17-97-312(f), concerning offenses for
13 which a person is disqualified from being eligible to receive or hold a
14 license as a psychologist or psychological examiner, is amended to add an
15 additional subdivision to read as follows:

16 (34) Sexual extortion, § 5-14-113.

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18 SECTION 14. Arkansas Code § 17-97-312(m)(2), concerning offenses for
19 which a person is permanently disqualified from being eligible to receive or
20 hold a license as a psychologist or psychological examiner, is amended to add
21 an additional subdivision to read as follows:

22 (K) Sexual extortion, § 5-14-113.

23
24 SECTION 15. Arkansas Code § 17-103-307(e), concerning offenses for
25 which a person is disqualified from being eligible to receive or hold a
26 license as a social worker, is amended to add an additional subdivision to
27 read as follows:

28 (34) Sexual extortion, § 5-14-113.

29
30 SECTION 16. Arkansas Code § 17-103-307(k)(2), concerning offenses for
31 which a person is permanently disqualified from being eligible to receive or
32 hold a license as a social worker, is amended to add an additional
33 subdivision to read as follows:

34 (K) Sexual extortion, § 5-14-113.

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36 SECTION 17. Arkansas Code § 20-13-1106(b), concerning offenses for

1 which a person is disqualified from certification or recertification as
2 emergency medical services personnel, is amended to add an additional
3 subdivision to read as follows:

4 (35) Sexual extortion, § 5-14-113.

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6 SECTION 18. Arkansas Code § 20-13-1106(e)(2), concerning offenses for
7 which a person is permanently disqualified from certification or
8 recertification as emergency medical services personnel, is amended to add an
9 additional subdivision to read as follows:

10 (K) Sexual extortion, § 5-14-113.

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12 SECTION 19. Arkansas Code § 20-38-105(b), concerning offenses for
13 which a person is disqualified from employment, is amended to add an
14 additional subdivision to read as follows:

15 (60) Sexual extortion, § 5-14-113.

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17 SECTION 20. Arkansas Code § 20-38-105(c)(2)(A), concerning offenses
18 for which a person is permanently disqualified from employment, is amended to
19 add an additional subdivision to read as follows:

20 (xi) Sexual extortion, § 5-14-113.

21
22 SECTION 21. Arkansas Code § 21-15-102(f), concerning offenses for
23 which a person is disqualified from employment with a state agency, is
24 amended to add an additional subdivision to read as follows:

25 (35) Sexual extortion, § 5-14-113.

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27 SECTION 22. Arkansas Code § 21-15-102(g)(2), concerning offenses for
28 which a person is permanently disqualified from employment with a state
29 agency, is amended to add an additional subdivision to read as follows:

30 (K) Sexual extortion, § 5-14-113.

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32 SECTION 23. Arkansas Code § 21-15-103(g), concerning offenses for
33 which a state agency shall discharge a person from employment, is amended to
34 add an additional subdivision to read as follows:

35 (34) Sexual extortion, § 5-14-113.

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1 SECTION 24. Arkansas Code § 21-15-103(h)(2), concerning offenses for
2 which a person is permanently disqualified from employment by a state agency,
3 is amended to add an additional subdivision to read as follows:

4 (K) Sexual extortion, § 5-14-113.

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6 SECTION 25. Arkansas Code § 21-15-104(c), concerning offenses a state
7 agency may not waive regarding the exclusion or discharge requirement of a
8 person in a designated position, is amended to add an additional subdivision
9 to read as follows:

10 (20) Sexual extortion, § 5-14-113.

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13 **APPROVED: 03/27/2017**