

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

As Engrossed: H1/31/03 S2/20/03

A Bill

Act 330 of 2003
HOUSE BILL 1011

5 By: Representative Creekmore
6 *By: Senators Holt, Capps, Glover, G. Jeffress, Trusty*
7

For An Act To Be Entitled

10 AN ACT TO PROVIDE PUBLIC DISCLOSURE OF SEX
11 OFFENDER REGISTRATION INFORMATION; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 AN ACT PROVIDING FOR PUBLIC DISCLOSURE
16 OF SEX OFFENDER REGISTRATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 12-12-913(e) is amended to read as follows:

22 (e)(1) Local law enforcement agencies having jurisdiction that decide
23 to disclose information under this section shall make a good faith effort to
24 conceal the identity of the victim or victims of the offender's offense.

25 (2) This information is not subject to disclosure under the
26 Freedom of Information Act of 1967, § 25-19-101 et seq., except as provided
27 in subsections (j) and (k) of this section.
28

29 SECTION 2. Arkansas Code § 12-12-913, concerning disclosure of
30 registration records, is amended to add additional subsections as follows:

31 (j) Beginning on September 1, 2003, the following information
32 concerning a registered sex offender who is classified as a level three (3)
33 or level four (4) offender by the Sex Offender Screening and Risk Assessment
34 shall be public:

35 (1) The offender's complete name as well as any aliases;

36 (2) The offender's date of birth;



1 (3) The sexual offense or offenses to which the offender has
2 plead guilty or nolo contendere, or has been found guilty of by a court of
3 competent jurisdiction;

4 (4) The street name and block number, county, city, and zip code
5 in which the offender resides;

6 (5) The offender's race and gender;

7 (6) The date of the last address verification of the offender
8 provided to the Arkansas Crime Information Center;

9 (7) The most recent photograph of the offender that has been
10 submitted to the Arkansas Crime Information Center; and

11 (8) The offender's parole or probation office.

12 (k) The Arkansas Crime Information Center shall prepare and place the
13 information in subsection (j) of this section on the State of Arkansas'
14 Internet home page before January 1, 2004.

15 (l) The Arkansas Crime Information Center may promulgate any rules
16 necessary to implement and administer subsections (j) and (k) of this
17 section.

18 SECTION 3. (a) It shall be unlawful for a sex offender who is
19 required to register under the Sex Offender Registration Act of 1997, § 12-
20 12-901 et seq. and who has been assessed as a Level 3 or Level 4 offender to
21 reside within two thousand (2,000) feet of the property on which any public
22 or private elementary or secondary school or daycare facility is located.

23 (b)(1) It shall not be a violation of this section if the property on
24 which the sex offender resides is owned and occupied by the offender and was
25 purchased prior to the date in which the school or daycare center was
26 established.

27 (2) The exclusion in subsection (b)(1) of this section shall not
28 apply to a sex offender who pleads guilty, nolo contendere, or is found
29 guilty of another sex offense after the school or daycare center is
30 established.

31 (c)(1) It shall not be a violation of this section if the sex offender
32 resides on property he owns prior to the effective date of this act.

33 (2) The exclusion in subsection (c)(1) of this section shall not
34 apply to a sex offender who pleads guilty, nolo contendere, or is found
35 guilty of another sex offense after the effective date of this act.

36 (d) A sex offender who is required to register under the Sex Offender

1 Registration Act of 1997, § 12-12-901 et seq. and who knowingly violates the
2 provisions of this section shall be guilty of a Class D felony.

3 /s/ Creekmore

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APPROVED: 3/6/2003