

**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.
Act 818 of the Regular Session**

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2266

5 By: Representatives Key, House, D. Creekmore, Rainey, Rosenbaum
6 By: Senator Womack
7

For An Act To Be Entitled

AN ACT TO PROHIBIT CERTAIN SEX OFFENDERS FROM
RESIDING NEAR PUBLIC PARKS OR YOUTH CENTERS; AND
FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT CERTAIN SEX OFFENDERS FROM
RESIDING NEAR PUBLIC PARKS OR YOUTH
CENTERS.

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

21
22 SECTION 1. Arkansas Code § 5-14-128 is amended to read as follows:

23 5-14-128. Registered offender living near school, public park, youth
24 center, or daycare prohibited.

25 (a) It is unlawful for a sex offender who is required to register
26 under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who
27 has been assessed as a Level 3 or Level 4 offender to reside within two
28 thousand feet (2,000') of the property on which any public or private
29 elementary or secondary school, public park, youth center, or daycare
30 facility is located.

31 (b)(1) It is not a violation of this section if the property on which
32 the sex offender resides is owned and occupied by the sex offender and was
33 purchased prior to the date on which the public or private elementary or
34 secondary school, public park, youth center, or daycare facility was
35 established.



1 (2) The exclusion in ~~subsection~~ subdivision (b)(1) of this
2 section does not apply to a sex offender who pleads guilty or nolo contendere
3 to or is found guilty of another sex offense after the public or private
4 elementary or secondary school, public park, youth center, or daycare
5 facility is established.

6 (c)(1)(A) ~~It~~ With respect to a public or private elementary or
7 secondary school or a daycare facility, it is not a violation of this section
8 if the sex offender resides on property he or she owns prior to July 16,
9 2003.

10 (B) With respect to a public park or youth center, it is
11 not a violation of this section if the sex offender resides on property he or
12 she owns prior to the effective date of this act.

13 (2)(A) The exclusion in ~~subsection (c)(1)~~ subdivision (c)(1)(A)
14 of this section does not apply to a sex offender who pleads guilty or nolo
15 contendere to or is found guilty of another sex offense after July 16, 2003.

16 (B) The exclusion in subdivision (c)(1)(B) of this section
17 does not apply to a sex offender who pleads guilty or nolo contendere to or
18 is found guilty of another sex offense on or after the effective date of this
19 act.

20 (d) A sex offender who is required to register under the Sex Offender
21 Registration Act of 1997, § 12-12-901 et seq., and who knowingly violates a
22 provision of this section is guilty of a Class D felony.

23 (e) As used in this section:

24 (1) "Public park" means any property owned or maintained by this
25 state or a county, city, or town in this state for the recreational use of
26 the public; and

27 (2) "Youth center" means any building, structure, or facility
28 owned or operated by a not-for-profit organization or by this state or a
29 county, city, or town in this state for use by minors to promote the health,
30 safety, or general welfare of the minors.

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32 APPROVED: 4/2/2007