

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1278

5 By: Representative T. Rogers  
6 By: Senators Salmon, R. Thompson  
7

## For An Act To Be Entitled

9 AN ACT REGARDING SEX OFFENDER VERIFICATION, EMAIL  
10 ADDRESSES, AND INTERNET IDENTITIES; AND FOR OTHER  
11 PURPOSES.  
12  
13

## Subtitle

14 REGARDING SEX OFFENDER VERIFICATION,  
15 EMAIL ADDRESSES, AND INTERNET IDENTITIES.  
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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 § 12-12-906(g), regarding what information a  
22 sex offender is mandated to report to law enforcement, is amended to read as  
23 follows:

24 (g)(1) Except as provided in subsection (h) of this section, ~~beginning~~  
25 ~~April 7, 2006,~~ a sex offender subject to lifetime registration under § 12-12-  
26 919 shall report in person every six (6) months after registration to the  
27 local law enforcement agency having jurisdiction to verify registration.

28 (2) The local law enforcement agency having jurisdiction may  
29 determine the appropriate times and days for reporting by the sex offender,  
30 and the determination shall be consistent with the reporting requirements of  
31 subdivision (g)(1) of this section.

32 (3) Registration verification shall include reporting any change  
33 to the following information concerning the sex offender:

- 34 (A) Name;  
35 (B) Social security number;  
36 (C) Age;



- 1 (D) Race;
- 2 (E) Gender;
- 3 (F) Date of birth;
- 4 (G) Height;
- 5 (H) Weight;
- 6 (I) Hair and eye color;
- 7 (J)(i) Address of any permanent residence and address of
- 8 any current temporary residence within this state or out of this state,
- 9 including a rural route address and a post office box.
- 10 (ii) A post office box shall not be provided in lieu
- 11 of a physical residential address;
- 12 (K) Date and place of any employment;
- 13 (L) Vehicle make, model, color, and license tag number
- 14 that the sex offender owns, operates, or to which he or she has access;
- 15 (M)(i) Fingerprints.
- 16 (ii) If the local law enforcement agency having
- 17 jurisdiction cannot confirm that the sex offender's fingerprints are
- 18 contained in the automated fingerprint identification system, the local law
- 19 enforcement agency having jurisdiction shall:
- 20 (a) Take the sex offender's fingerprints; and
- 21 (b) Submit the fingerprints to the center and
- 22 to the Department of Arkansas State Police; ~~and~~
- 23 (N)(i) Photograph.
- 24 (ii) The local law enforcement agency having
- 25 jurisdiction shall take a photograph of the sex offender at each registration
- 26 verification and submit the photograph to the center+;
- 27 (O) All computers or other devices with Internet
- 28 capability to which the sex offender has access;
- 29 (P) All email addresses used by the sex offender; and
- 30 (Q) All user names, screen names, or instant message names
- 31 that are used by the sex offender to communicate in real time with another
- 32 person using the Internet.
- 33 (4) If the sex offender is enrolled or employed at an
- 34 institution of higher education in this state, the sex offender shall also
- 35 report to the local law enforcement agency having jurisdiction:
- 36 (A) The name and address of each institution of higher

1 education where he or she is enrolled or employed, including each campus  
 2 attended;

3 (B) The county where each campus is located; and

4 (C) His or her enrollment or employment status.

5 (5) If the place of residence of the sex offender is a motor  
 6 vehicle, trailer, mobile home, modular home, or manufactured home, the sex  
 7 offender shall report the following information concerning the motor vehicle,  
 8 trailer, mobile home, modular home, or manufactured home:

9 (A) Vehicle identification number;

10 (B) License tag number;

11 (C) Registration number; and

12 (D) A description, including color scheme.

13 (6) If the place of residence of the sex offender is a vessel,  
 14 live-aboard vessel, or houseboat, the sex offender shall report the following  
 15 information concerning the vessel, live-aboard vessel, or houseboat:

16 (A) Hull identification number;

17 (B) Manufacturer's serial number;

18 (C) Name;

19 (D) Registration number; and

20 (E) A description, including color scheme.

21  
 22 SECTION 2. Arkansas Code § 12-12-906(h), regarding what information a  
 23 sexually violent predator is mandated to report to law enforcement, is  
 24 amended to read as follows:

25 (h)(1) ~~Beginning on March 21, 2007, a~~ A sexually violent predator  
 26 subject to lifetime registration under § 12-12-919 shall report in person  
 27 every three (3) months after registration to the local law enforcement agency  
 28 having jurisdiction to verify registration.

29 (2) The local law enforcement agency having jurisdiction may  
 30 determine the appropriate times and days for reporting by the sexually  
 31 violent predator, and the determination shall be consistent with the  
 32 reporting requirements of subdivision (h)(1) of this section.

33 (3) Registration verification shall include reporting any change  
 34 to the following information concerning the sexually violent predator:

35 (A) Name;

36 (B) Social security number;

- 1 (C) Age;
- 2 (D) Race;
- 3 (E) Gender;
- 4 (F) Date of birth;
- 5 (G) Height;
- 6 (H) Weight;
- 7 (I) Hair and eye color;
- 8 (J)(i) Address of any permanent residence and address of
- 9 any current temporary residence within this state or out of this state,
- 10 including a rural route address and a post office box.
- 11 (ii) A post office box shall not be provided in lieu
- 12 of a physical residential address;
- 13 (K) Date and place of any employment;
- 14 (L) Vehicle make, model, color, and license tag number
- 15 that the sexually violent predator owns, operates, or to which he or she has
- 16 access;
- 17 (M)(i) Fingerprints.
- 18 (ii) If the local law enforcement agency having
- 19 jurisdiction cannot confirm that the sexually violent predator's fingerprints
- 20 are contained in the automated fingerprint identification system, the local
- 21 law enforcement agency having jurisdiction shall:
- 22 (a) Take the sexually violent predator's
- 23 fingerprints; and
- 24 (b) Submit the fingerprints to the center and
- 25 to the Department of Arkansas State Police; ~~and~~
- 26 (N)(i) Photograph.
- 27 (ii) The local law enforcement agency having
- 28 jurisdiction shall take a photograph of the sexually violent predator at each
- 29 registration verification and submit the photograph to the center+;
- 30 (O) All computers or other devices with Internet
- 31 capability to which the sex offender has access;
- 32 (P) All email addresses used by the sex offender; and
- 33 (Q) All user names, screen names, or instant message names
- 34 that are used by the sex offender to communicate in real time with another
- 35 person using the Internet.
- 36 (4) If the sexually violent predator is enrolled or employed at

1 an institution of higher education in this state, the sexually violent  
 2 predator shall also report to the local law enforcement agency having  
 3 jurisdiction:

4 (A) The name and address of each institution of higher  
 5 education where he or she is enrolled or employed, including each campus  
 6 attended;

7 (B) The county where each campus is located; and

8 (C) His or her enrollment or employment status.

9 (5) If the place of residence of the sexually violent predator  
 10 is a motor vehicle, trailer, mobile home, modular home, or manufactured home,  
 11 the sexually violent predator shall report the following information  
 12 concerning the motor vehicle, trailer, mobile home, modular home, or  
 13 manufactured home:

14 (A) Vehicle identification number;

15 (B) License tag number;

16 (C) Registration number; and

17 (D) A description, including color scheme.

18 (6) If the place of residence of the sexually violent predator  
 19 is a vessel, live-aboard vessel, or houseboat, the sexually violent predator  
 20 shall report the following information concerning the vessel, live-aboard  
 21 vessel, or houseboat:

22 (A) Hull identification number;

23 (B) Manufacturer's serial number;

24 (C) Name;

25 (D) Registration number; and

26 (E) A description, including color scheme.

27 (i) Within three (3) days after verifying the registration of a sex  
 28 offender under subsection (g) of this section or a sexually violent predator  
 29 under subsection (h) of this section, the local law enforcement agency having  
 30 jurisdiction shall report by written or electronic means all information  
 31 obtained from or provided by the sex offender or sexually violent predator to  
 32 the center.

33  
 34 SECTION 1. Arkansas Code § 12-12-908 is amended to read as follows:  
 35 12-12-908. Registration format – Requirements.

36 (a) The Director of the Arkansas Crime Information Center shall

1 prepare the format for registration as required in subsection (b) of this  
2 section and shall provide instructions for registration to each organized  
3 full-time municipal police department, county sheriff's office, the  
4 Department of Correction, the Department of Community Correction, the  
5 Department of Human Services, and the Administrative Office of the Courts.

6 (b) The registration file required by this subchapter shall include:

7 (1) The sex offender's full name and all aliases that the sex  
8 offender has used or under which the sex offender has been known;

9 (2) Date of birth;

10 (3) Sex;

11 (4) Race;

12 (5) Height;

13 (6) Weight;

14 (7) Hair and eye color;

15 (8) Address of any temporary residence;

16 (9) Anticipated address of legal residence;

17 (10) Driver's license number or state identification number, if  
18 available;

19 (11) Social security number;

20 (12) Place of employment, education, or training;

21 (13) Photograph, if not already obtained;

22 (14) Fingerprints, if not already obtained;

23 (15) Date of arrest, arresting agency, offense for which  
24 convicted or acquitted, and arrest tracking number for each adjudication of  
25 guilt or acquittal on the grounds of mental disease or defect;

26 (16) A brief description of the crime or crimes for which  
27 registration is required;

28 (17) The registration status of the sex offender as a sexually  
29 violent predator, aggravated sex offender, or sex offender;

30 (18) A statement in writing signed by the sex offender  
31 acknowledging that the sex offender has been advised of the duty to register  
32 imposed by this subchapter; ~~and~~

33 (19) All computers or other devices with Internet capability to  
34 which the sex offender has access;

35 (20) All email addresses used by the sex offender;

36 (21) All user names, screen names, or instant message names that

1 are used by the sex offender to communicate in real time with another person  
2 using the Internet; and

3 ~~(19)(22)~~ Any other information that the center deems necessary,  
4 including, ~~but not limited to~~ without limitation:

- 5 (A) Criminal and corrections records;
- 6 (B) Nonprivileged personnel records;
- 7 (C) Treatment and abuse registry records; and
- 8 (D) Evidentiary genetic markers.

9 (c) Certain information such as social security number, driver's  
10 license number, employer, email addresses, user names, screen names, or  
11 instant message names, information that may lead to identification of the  
12 victim, and ~~the like~~ other similar information may be excluded from the  
13 information that is released during the course of notification.

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16 **APPROVED: 02/24/2011**  
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