

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/25/15
A Bill

SENATE BILL 867

5 By: Senator E. Williams
6 By: Representative Bennett
7

For An Act To Be Entitled

9 AN ACT TO CREATE AN ADDITIONAL FINE FOR A CRIMINAL
10 OFFENSE IN WHICH A CHILD WAS THE VICTIM OR THAT WAS
11 COMMITTED IN THE PRESENCE OF A CHILD; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO CREATE AN ADDITIONAL FINE FOR A
16 CRIMINAL OFFENSE IN WHICH A CHILD WAS THE
17 VICTIM OR THAT WAS COMMITTED IN THE
18 PRESENCE OF A CHILD.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended*
25 *to add an additional section to read as follows:*

26 *5-4-703. Additional fine - Offense committed against a child or in the*
27 *presence of a child.*

28 *(a) In addition to any other sentence, the court shall assess an*
29 *additional fine of twenty-five dollars (\$25.00) for the following offenses if*
30 *the finder of fact determines that the offense was committed against a child*
31 *or in the presence of a child:*

32 *(1) A felony involving violence as defined in § 5-4-501(d)(2);*

33 *(2) Manslaughter, § 5-10-104, or negligent homicide, § 5-10-105;*

34 *(3) False imprisonment in the first degree, § 5-11-103, or false*
35 *imprisonment in the second degree, § 5-11-104;*

36 *(4) Battery in the second degree, § 5-13-202, or battery in the*



1 third degree, § 5-13-203;

2 (5) Aggravated assault, § 5-13-204, assault in the first degree,
3 § 5-13-205, assault in the second degree, § 5-13-206, assault in the third
4 degree, § 5-13-207, or coercion, § 5-13-208;

5 (6) Introduction of controlled substance into body of another
6 person, § 5-13-210;

7 (7) Terroristic threatening, § 5-13-301, or terroristic act, §
8 5-13-310;

9 (8) Sexual indecency with a child, § 5-14-110, indecent
10 exposure, § 5-14-112, sexual assault in the third degree, § 5-14-126, or
11 sexual assault in the fourth degree, § 5-14-127;

12 (9) Trafficking of persons, § 5-18-103, or patronizing a victim
13 of human trafficking, § 5-18-104;

14 (10) Domestic battering in the second degree, § 5-26-304,
15 domestic battering in the third degree, § 5-26-305, aggravated assault on a
16 family or household member, § 5-26-306, first degree assault on a family or
17 household member, § 5-26-307, second degree assault on a family or household
18 member, § 5-26-308, or third degree assault on a family or household member,
19 § 5-26-309;

20 (11) Endangering the welfare of a minor in the first degree, §
21 5-27-205, endangering the welfare of a minor in the second degree, § 5-27-
22 206, or endangering the welfare of a minor in the third degree, § 5-27-207;

23 (12) Engaging in sexually explicit conduct for use in visual or
24 print medium, § 5-27-303, pandering or possessing visual or print medium
25 depicting sexually explicit conduct involving a child, § 5-27-304,
26 transportation of minors for prohibited sexual conduct, § 5-27-305, Internet
27 stalking of a child, § 5-27-306, or sexually grooming a child, § 5-27-307;

28 (13) Employing or consenting to the use of a child in a sexual
29 performance, § 5-27-402, or producing, directing, or promoting a sexual
30 performance by a child, § 5-27-403;

31 (14) Distributing, possessing, or viewing of matter depicting
32 sexually explicit conduct involving a child, § 5-27-602, computer child
33 pornography, § 5-27-603, failure to report child pornography, § 5-27-604, or
34 computer exploitation of a child, § 5-27-605;

35 (15) A controlled substance offense in which an enhanced penalty
36 under § 5-64-406 or § 5-64-407 is applied;

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(16) Aggravated cruelty to a dog, cat, or horse, § 5-62-104; or

(17) Driving or boating while intoxicated, § 5-65-103.

(b)(1) A fine assessed and collected under this section shall be remitted on or before the fifteenth day of the following month to the Arkansas Children's Advocacy Center Fund.

(2) A form identifying the amount of fines assessed under this section shall be transmitted with the collected fines.

/s/E. Williams

APPROVED: 04/07/2015