

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 64 of the Regular Session

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

As Engrossed: H1/24/11

A Bill

HOUSE BILL 1007

5 By: Representatives Harris, Woods
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE SEX OFFENDERS TO VERIFY
9 REGISTRATION IN PERSON AT A LOCAL LAW ENFORCEMENT
10 AGENCY AND TO REQUIRE ELECTRONIC FILING OF THE
11 VERIFICATION; AND FOR OTHER PURPOSES.
12

Subtitle

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14 TO REQUIRE SEX OFFENDERS TO VERIFY
15 REGISTRATION IN PERSON AT A LOCAL LAW
16 ENFORCEMENT AGENCY AND TO REQUIRE
17 ELECTRONIC FILING OF THE VERIFICATION.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 12-12-909 is amended to read as follows:

23 12-12-909. Verification form – Change of address.

24 ~~(a)(1)(A) For a person required to register as a sex offender, every~~
25 ~~six (6) months after the person's initial registration date during the period~~
26 ~~in which the person is required to register, the following applies:~~

27 ~~(i) The Arkansas Crime Information Center shall mail~~
28 ~~a nonforwardable verification form to the last reported address of the person~~
29 ~~by certified mail;~~

30 ~~(ii)(a) The person shall return the verification~~
31 ~~form in person to the local law enforcement agency having jurisdiction within~~
32 ~~ten (10) days after receipt of the form.~~

33 ~~(b) Within three (3) days after receipt of the~~
34 ~~form, the local law enforcement agency having jurisdiction shall forward the~~
35 ~~form to the center;~~

36 ~~(iii) The verification form shall be signed by the~~



1 ~~person and state that the person still resides at the address last reported~~
2 ~~to the center; and~~

3 ~~(iv) If the person fails to return the verification~~
4 ~~form to the local law enforcement agency having jurisdiction within ten (10)~~
5 ~~days after receipt of the form, the person shall be in violation of this~~
6 ~~subchapter.~~

7 ~~(B) Should the sex offender or sexually violent predator~~
8 ~~change address without notice or fail to return the verification of~~
9 ~~residence, notification will be sent to law enforcement and supervising~~
10 ~~parole or probation authority, and notice may be posted on the Internet until~~
11 ~~proper reporting is again established or the person is incarcerated.~~

12 ~~(2) The provisions of subdivision (a)(1) of this section shall~~
13 ~~be applied to a person required to register as a sexually violent predator,~~
14 ~~except that the person must verify the registration every ninety (90) days~~
15 ~~after the date of the initial release or commencement of parole.~~

16 (a)(1) A person required to register as a sex offender shall verify
17 registration every six (6) months after the person's initial registration
18 date during the period of time in which the person is required to register.

19 (2)(A)(i) The verification shall be done in person at a local
20 law enforcement agency having jurisdiction at which time the person shall
21 sign and date a Sex Offender Acknowledgment Form in which a law enforcement
22 officer shall also witness and sign.

23 (ii) The Sex Offender Acknowledgment Form shall
24 state the date of verification as well as a date certain that the person is
25 required to return in person to a specific local law enforcement agency
26 having jurisdiction to verify his or her address.

27 (B) The Sex Offender Acknowledgement Form shall be uniform
28 and created by the Arkansas Crime Information Center.

29 (C) The local law enforcement agency having jurisdiction
30 shall file the verification of registration electronically with the center.

31 (3) If the person lives in a jurisdiction that does not have a
32 local law enforcement agency having jurisdiction that is able to
33 electronically file the verification, the verification shall be done by
34 certified mail in the following manner:

35 (A) The center shall mail a nonforwardable verification
36 form to the last reported address of the person by certified mail;

1 (B)(i) The person shall return the verification form in
2 person to the local law enforcement agency having jurisdiction within ten
3 (10) days after receipt of the verification form.

4 (ii) Within three (3) days after receipt of the
5 verification form, the local law enforcement agency having jurisdiction shall
6 forward the verification form to the center;

7 (C) The verification form shall be signed by the person
8 and state that the person still resides at the address last reported to the
9 center; and

10 (D) If the person fails to return the verification form to
11 the local law enforcement agency having jurisdiction within ten (10) days
12 after receipt of the verification form, the person is in violation of this
13 subchapter.

14 (4) If the person changes his or her address without notice or
15 fails to return the verification form if he or she is allowed to do so by
16 mail, notification shall be sent to law enforcement and supervising parole or
17 probation authorities, and notice may be posted on the Internet until proper
18 reporting is again established or the person is incarcerated.

19 (5) Subdivision (a)(1) of this section applies to a person
20 required to register as a sexually violent predator, except that the person
21 shall verify the registration every ninety (90) days after the date of the
22 initial release or commencement of parole.

23 (b)(1)(A) Before a change of address within the state, a sex offender
24 shall report the change of address to ~~the center~~ local law enforcement having
25 jurisdiction no later than ten (10) days before the sex offender establishes
26 residency or is temporarily domiciled at the new address.

27 (B) Upon receipt of a report of a change of address as described
28 in subdivision (b)(1)(A) of this section, the local law enforcement agency
29 having jurisdiction shall report the change of address to the center.

30 (2) When a change of address within the state is reported to the
31 center, the center shall immediately report the change of address to the
32 local law enforcement agency having jurisdiction where the sex offender
33 expects to reside.

34 (c)(1) Before a change of address to another state, a sex offender
35 shall register the new address with the center and with a designated law
36 enforcement agency in the state to which the ~~person~~ sex offender moves not

1 later than ten (10) days before ~~such person~~ the sex offender establishes
2 residence or is temporarily domiciled in the new state if the new state has a
3 registration requirement.

4 (2) When a change of address to another state is reported to the
5 center, the center shall immediately notify the law enforcement agency with
6 which the sex offender must register in the new state if the new state has a
7 registration requirement.

8 (d) The center may require a sex offender to report a change of
9 address through the local law enforcement agency having jurisdiction.

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/s/Harris

APPROVED: 02/18/2011