

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1125

5 By: Representative Evans  
6 By: Senator Hill  
7

## For An Act To Be Entitled

9 AN ACT TO PROHIBIT A REGISTERED SEX OFFENDER FROM  
10 PURCHASING, OWNING, POSSESSING, USING, OR OPERATING  
11 AN UNMANNED AIRCRAFT FOR PRIVATE USE; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

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16 TO PROHIBIT A REGISTERED SEX OFFENDER  
17 FROM PURCHASING, OWNING, POSSESSING,  
18 USING, OR OPERATING AN UNMANNED AIRCRAFT  
19 FOR PRIVATE USE.  
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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 § 5-4-109 is amended to read as follows:  
25 5-4-109. Sentencing for sex offense.

26 A person who is convicted of an offense for which he or she is required  
27 to register as a sex offender under the Sex Offender Registration Act of  
28 1997, § 12-12-901 et seq., shall be notified at his or her sentencing by the  
29 court that he or she is prohibited from:

30 (1) ~~recording~~ Recording a person under fourteen (14) years of  
31 age under § 5-14-137 if he or she is assessed as a Level 3 or Level 4  
32 offender; or

33 (2) Purchasing, owning, possessing, using, or operating an  
34 unmanned aircraft under § 5-14-138 if he or she is assessed as a Level 3 or  
35 Level 4 offender.  
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1 SECTION 2. Arkansas Code Title 5, Chapter 14, Subchapter 1, is amended  
 2 to add an additional section to read as follows:

3 5-14-138. Registered offender prohibited from purchasing, owning,  
 4 possessing, using, or operating an unmanned aircraft.

5 (a) As used in this section, "unmanned aircraft" means an aircraft,  
 6 including an aircraft commonly known as a drone, that is operated without the  
 7 possibility of direct human intervention from within or on the aircraft and  
 8 has the ability to photographically or electronically record.

9 (b) It is unlawful for a person who is required to register under the  
 10 Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been  
 11 assessed as a Level 3 or Level 4 offender to knowingly purchase, own,  
 12 possess, use, or operate an unmanned aircraft.

13 (c) This section does not apply to a person who:

14 (1) Is required to purchase, own, possess, use, or operate an  
 15 unmanned aircraft as part of his or her employment; and

16 (2) Purchases, owns, possesses, uses, or operates an unmanned  
 17 aircraft as part of his or her employment.

18 (d) A violation of this section is a Class D felony.

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