

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1098

5 By: Representative Wooten  
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## For An Act To Be Entitled

8 AN ACT TO RESTRICT THE CIRCUMSTANCES UNDER WHICH A  
9 SEX OFFENDER MAY BE PERMITTED ON OR NEAR THE PREMISES  
10 OF A CHILDCARE FACILITY; TO REQUIRE NOTICE TO CERTAIN  
11 PERSONS WHEN A SEX OFFENDER IS ON THE PREMISES OF A  
12 CHILDCARE FACILITY; AND FOR OTHER PURPOSES.  
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## Subtitle

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16 TO RESTRICT THE CIRCUMSTANCES UNDER WHICH  
17 A SEX OFFENDER MAY BE PERMITTED ON OR  
18 NEAR THE PREMISES OF A CHILDCARE  
19 FACILITY; AND TO REQUIRE NOTICE TO  
20 CERTAIN PERSONS WHEN A SEX OFFENDER IS ON  
21 THE PREMISES OF A CHILDCARE FACILITY.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 20, Chapter 78, Subchapter 2, is  
27 amended to add an additional section to read as follows:

28 20-78-229. Sex offender prohibited from being on childcare facility  
29 premises – Notice concerning registered sex offenders.

30 (a) A person who is convicted of a sex offense against a minor or  
31 required to register as a sex offender under the Sex Offender Registration  
32 Act of 1997, § 12-12-901 et seq., shall not be permitted on the premises of a  
33 childcare facility:

34 (1) For a purpose other than to bring his or her child to the  
35 childcare facility or to collect his or her child from the childcare facility  
36 when another child or other children are on the premises of the childcare



1 facility; or

2 (2) In a manner that violates the Division of Child Care and  
 3 Early Childhood Education's rules concerning childcare facilities.

4 (b) An owner, operator, service provider, or director of a childcare  
 5 facility shall provide written notification that a registered sex offender  
 6 is, has been, or will be on or near the premises of the childcare facility to  
 7 the parent, legal guardian, person having lawful control, or person standing  
 8 in loco parentis of a child who attends the childcare facility if a person  
 9 who is convicted of a sex offense against a minor or is required to register  
 10 as a sex offender under the Sex Offender Registration Act of 1997, § 12-12-  
 11 901 et seq.:

12 (1) Resides in or near the premises of the childcare facility in  
 13 violation of § 5-14-128; or

14 (2) Is, has been, or will be present on the premises of the  
 15 childcare facility for a purpose other than to bring his or her child to the  
 16 childcare facility or to collect his or her child from the childcare  
 17 facility.

18 (c) This section does not prohibit a person who is convicted of a sex  
 19 offense against a minor or required to register as a sex offender under the  
 20 Sex Offender Registration Act of 1997, § 12-12-901 et seq., from attending a  
 21 church service or function at a church in which a childcare facility is  
 22 located if the church service or function is not held on the premises of the  
 23 childcare facility.

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