

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

A Bill

HOUSE BILL 1335

4
5 By: Representative Gazaway

For An Act To Be Entitled

8 AN ACT EXPANDING THE RIGHTS AFFORDED TO A VICTIM OF A
9 SEX OFFENSE; AND FOR OTHER PURPOSES.

Subtitle

12 EXPANDING THE RIGHTS AFFORDED TO A VICTIM
13 OF A SEX OFFENSE.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Title 16, Chapter 90, Subchapter 11, is
20 amended to add an additional section to read as follows:

21 16-90-1116. Rights of victim of sex offense.

22 (a) In addition to the rights afforded all victims under this
23 subchapter and as otherwise provided by law, a victim of a sex offense has
24 the right to:

25 (1) Have evidence of the sex offense retained and properly
26 stored until the pertinent statute of limitations for the most serious sex
27 offense for which the perpetrator of the sex offense may be charged under a
28 liberal evaluation of the available facts has lapsed;

29 (2) Access free of charge any medical information of the victim
30 included in a sexual assault collection kit or collected as part of a
31 medical-legal examination;

32 (3) Consult with a counselor with experience in counseling
33 victims of sex offenses and with other sexual assault or sex offense support
34 professionals at the victim's choosing, including during any interview with
35 persons concerned with the prosecution of or defense to the criminal
36 investigation or trial concerning the sex offense; and



1 (4) Receive an analysis of any forensic evidence by the State
2 Crime Laboratory within ninety (90) days of the date of the forensic
3 evidence's being collected by a law enforcement agency with jurisdiction.

4 (b) Unless otherwise provided by this section, the rights afforded
5 under this section extend through the duration of any investigation into the
6 sex offense as well as through the duration of a trial that results from the
7 investigation of the sex offense.

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