

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

A Bill

HOUSE BILL 1507

4
5 By: Representative Wooten

For An Act To Be Entitled

8 AN ACT CONCERNING A SEX OFFENDER'S ABILITY TO RESIDE
9 WITH A MINOR; AND FOR OTHER PURPOSES.

Subtitle

12 CONCERNING A SEX OFFENDER'S ABILITY TO
13 RESIDE WITH A MINOR.

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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 § 16-93-305 is amended to read as follows:

20 16-93-305. Probation — ~~First time offenders~~ — Sex offender may not
21 reside with minor victim.

22 (a) ~~Whenever an accused who~~ If a person enters a plea of guilty or
23 nolo contendere ~~prior to an adjudication of guilt for any~~ to or is found
24 guilty of a sexual offense defined in under § 5-14-101 et seq. or incest, as
25 ~~defined in § 5-26-202 for a sexual offense or incest, § 5-26-202,~~ perpetrated
26 against a minor and is otherwise eligible for probation ~~under procedures~~
27 ~~defined in § 16-93-303 or any other provision of law, as a condition of~~
28 ~~granting probation the court shall prohibit the accused, upon release, the~~
29 person is prohibited as a condition of his or her probation from residing in
30 a residence with any minor unless the court makes a specific finding that the
31 ~~accused~~ person poses no danger to ~~the minors~~ a minor residing in the
32 residence.

33 (b) Upon violation of this condition of probation, the court may enter
34 an adjudication of guilt and proceed as otherwise provided by law.

