

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

A Bill

HOUSE BILL 1625

5 By: Representative Haak
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For An Act To Be Entitled

8 AN ACT PROHIBITING A SEX OFFENDER FROM RESIDING NEAR
9 A PUBLICLY OWNED PARK OR TRAIL LOCATED ON AN EASEMENT
10 ON PRIVATE LAND; AND FOR OTHER PURPOSES.
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Subtitle

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14 PROHIBITING A SEX OFFENDER FROM RESIDING
15 NEAR A PUBLICLY OWNED PARK OR TRAIL
16 LOCATED ON AN EASEMENT ON PRIVATE LAND.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-14-128(c), concerning a sex offender who
22 resides near certain places, is amended to read as follows:

23 (c)(1)(A) With respect to a public or private elementary or secondary
24 school or a daycare facility, it is not a violation of this section if the
25 sex offender resides on property he or she owns prior to July 16, 2003.

26 (B) With respect to a public park or youth center, it is
27 not a violation of this section if the sex offender resides on property he or
28 she owns prior to July 31, 2007.

29 (C) With respect to privately owned land for which an
30 easement has been granted to the state or a county, city, or town and that is
31 used as part of the public park system of the state or a county, city, or
32 town, it is not a violation of this section if the sex offender resides on
33 property he or she owns prior to the effective date of this act.

34 (2)(A) The exclusion in subdivision (c)(1)(A) of this section
35 does not apply to a sex offender who pleads guilty or nolo contendere to or
36 is found guilty of another sex offense after July 16, 2003.



1 (B) The exclusion in subdivision (c)(1)(B) of this section
 2 does not apply to a sex offender who pleads guilty or nolo contendere to or
 3 is found guilty of another sex offense on or after July 31, 2007.

4 (C) The exclusion in subdivision (c)(1)(C) of this section
 5 does not apply to a sex offender who pleads guilty or nolo contendere to or
 6 is found guilty of another sex offense on or after the effective date of this
 7 act.

8 (3) With respect to a church or other place of worship, it is
 9 not a violation of this section if the sex offender resides on property he or
 10 she owns prior to July 22, 2015.

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 12 SECTION 2. Arkansas Code § 5-14-128(f), concerning definitions used in
 13 regard to locations where certain sex offenders may not reside within a
 14 certain distance, is amended to read as follows:

15 (f) As used in this section:

16 (1) "Church or other place of worship" means a physical location
 17 that has a primary purpose of facilitating the meeting of persons in order to
 18 practice a religion;

19 (2)(A) "Public park" means any property owned or maintained by
 20 this state or a county, city, or town in this state for the recreational use
 21 of the public.

22 (B) "Public park" includes the portion of any privately
 23 owned land over which an easement has been granted to the state or a county,
 24 city, or town and that is used as part of the public park system of the state
 25 or a county, city, or town; and

26 (3) "Youth center" means any building, structure, or facility
 27 owned or operated by a not-for-profit organization or by this state or a
 28 county, city, or town in this state for use by minors to promote the health,
 29 safety, or general welfare of the minors.

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