

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

A Bill

HOUSE BILL 1741

4
5 By: Representatives Lundstrum, Speaks, Rye, Cloud, Bentley, McGrew, Hollowell, M. Berry, Milligan,
6 Crawford, Bryant, Haak
7 By: Senator A. Clark

For An Act To Be Entitled

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10 AN ACT CONCERNING CONDITIONS OF RELEASE ON BAIL FOR
11 PERSONS ARRESTED FOR HUMAN TRAFFICKING-RELATED
12 OFFENSES; AND FOR OTHER PURPOSES.

Subtitle

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15 CONCERNING CONDITIONS OF RELEASE ON BAIL
16 FOR PERSONS ARRESTED FOR HUMAN
17 TRAFFICKING-RELATED OFFENSES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code Title 16, Chapter 84, Subchapter 1, is
24 amended to add an additional section to read as follows:

25 16-84-117. Conditions for release on bail for persons accused of human
26 trafficking and related offenses.

27 (a) As used in this section, "offense that involves the taking of a
28 minor or holding a minor without consent" does not mean an offense under § 5-
29 26-501 et seq.

30 (b) Unless waived by the court under subsection (c) of this section, a
31 person arrested for a violation of trafficking of persons, § 5-18-103,
32 kidnapping, § 5-11-102, or false imprisonment in the first degree, § 5-11-
33 103, or an offense that involves the taking of a minor or holding a minor
34 without consent, shall not be granted bail before the person agrees to the
35 following conditions imposed by the arraigning court:

36 (1) An ankle monitor or GPS-enabled tracking device;



1 (2) Restricted movement limited to the person's residence,
2 except in the case of a medical emergency;

3 (3) A restriction on internet access and access to electronic
4 media;

5 (4) An agreement by the defendant to:

6 (A) A no contact order prohibiting direct or indirect
7 contact with the victim or victims of the charged offense;

8 (B) Relinquish all firearms to a third party until the
9 expiration of the no contact order; and

10 (C) Refrain from using an illegal controlled substance;

11 (5) A cash bond or a secured bond requiring the defendant to put
12 up at least fifty percent (50%) of the principal bond amount, at the
13 discretion of the court;

14 (6) Maintaining regular reporting requirements, at the
15 discretion of the court; and

16 (7) Obeying a curfew, at the court's discretion;

17 (c) The court may waive a condition under subsection (b) of this
18 section upon a showing that the waiver would not result in an increased risk
19 to the community or an increased risk of flight by the defendant.

20 (d) Absent a waiver by the court under subsection (c) of this section,
21 a person who refuses or fails to agree to or adhere to a condition listed
22 under subsection (b) of this section shall not be allowed release on bail
23 until the conclusion of his or her case.

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