

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: H4/1/21

A Bill

HOUSE BILL 1741

5 By: Representatives Lundstrum, Speaks, Rye, Cloud, Bentley, McGrew, Hollowell, M. Berry, Milligan,
6 Crawford, Bryant, Haak, *Brooks, Brown, Christiansen, C. Cooper, Richmond, Scott, B. Smith, Wing,*
7 *Wooten*
8 By: Senator A. Clark
9

For An Act To Be Entitled

11 AN ACT CONCERNING CONDITIONS OF RELEASE ON BAIL FOR
12 PERSONS ARRESTED FOR HUMAN TRAFFICKING-RELATED
13 OFFENSES; AND FOR OTHER PURPOSES.
14
15

Subtitle

17 CONCERNING CONDITIONS OF RELEASE ON BAIL
18 FOR PERSONS ARRESTED FOR HUMAN
19 TRAFFICKING-RELATED OFFENSES.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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

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

28 (a) As used in this section, "offense that involves the taking of a
29 minor or holding a minor without consent" does not mean an offense under § 5-
30 26-501 et seq.

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



- 1 (1) An ankle monitor or GPS-enabled tracking device;
- 2 (2) Restricted movement limited to the person's residence,
- 3 except in the case of a medical emergency;
- 4 (3) A restriction on internet access and access to electronic
- 5 media;
- 6 (4) An agreement by the defendant to:
 - 7 (A) A no contact order prohibiting direct or indirect
 - 8 contact with the victim or victims of the charged offense;
 - 9 (B) Relinquish all firearms to a third party until the
 - 10 expiration of the no contact order; and
 - 11 (C) Refrain from using an illegal controlled substance;
- 12 (5) A cash bond or a secured bond requiring the defendant to put
- 13 up at least fifty percent (50%) of the principal bond amount, at the
- 14 discretion of the court;
- 15 (6) Maintaining regular reporting requirements, at the
- 16 discretion of the court; and
- 17 (7) Obeying a curfew, at the court's discretion;
- 18 (c) The court may waive a condition under subsection (b) of this
- 19 section upon a showing that the waiver would not result in an increased risk
- 20 to the community or an increased risk of flight by the defendant.
- 21 (d) Absent a waiver by the court under subsection (c) of this section,
- 22 a person who refuses or fails to agree to or adhere to a condition listed
- 23 under subsection (b) of this section shall not be allowed release on bail
- 24 until the conclusion of his or her case.

25
26 /s/Lundstrum
27
28
29
30
31
32
33
34
35
36