

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: S3/29/23

A Bill

SENATE BILL 96

5 By: Senator D. Wallace
6 By: Representative Milligan
7

For An Act To Be Entitled

9 AN ACT REGARDING THE TERMINATION OF THE OBLIGATION TO
10 REGISTER AS A SEX OFFENDER; TO REQUIRE NOTIFICATION
11 TO A VICTIM OF A SEX OFFENDER'S APPLICATION TO
12 TERMINATE THE OBLIGATION TO REGISTER AS A SEX
13 OFFENDER; TO INCLUDE NOTIFICATION TO THE VICTIM
14 THROUGH THE COMPUTERIZED VICTIM NOTIFICATION SYSTEM;
15 AND FOR OTHER PURPOSES.
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Subtitle

18 REGARDING THE TERMINATION OF THE
19 OBLIGATION TO REGISTER AS A SEX OFFENDER;
20 AND TO REQUIRE NOTIFICATION TO A VICTIM
21 OF A SEX OFFENDER'S APPLICATION TO
22 TERMINATE AN OBLIGATION TO REGISTER.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 12-12-919(b)(1)(B), concerning a hearing on
29 the application to terminate the obligation to register as a sex offender, is
30 amended to read as follows:

31 (B)(i) The court shall hold a hearing on the application
32 under subdivision (b)(1)(A) of this section at which the applicant and any
33 interested persons may present witnesses and other evidence.

34 (ii) No less than ~~twenty (20)~~ thirty (30) days
35 before the date of the hearing on the application under subdivision (b)(1)(A)
36 of this section, a copy of the application ~~for termination of the obligation~~



1 ~~to register~~ under subdivision (b)(1)(A) of this section shall be served on:

2 (a) The prosecutor of the county in which the
3 adjudication of guilt triggering registration was obtained if the sex
4 offender was convicted in this state; or

5 (b) The prosecutor of the county where a sex
6 offender resides if the sex offender was convicted in another state.

7 (iii) A copy of the application under subdivision
8 (b)(1)(A) of this section also shall be served ~~to~~ on the Arkansas Sex
9 Offender Registry in the Arkansas Crime Information Center and to Community
10 Notification Assessment at least ~~twenty (20)~~ thirty (30) days before the
11 hearing.

12 (iv)(a) Upon receipt of the application under
13 subdivision (b)(1)(A) of this section, the court shall notify the
14 computerized victim notification system under § 12-12-1201 of the filing of
15 the application.

16 (b) The computerized victim notification
17 system § 12-12-1201 shall notify a victim who has opted in to receive
18 notifications of the filing of an application to terminate an obligation to
19 register under this section.

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21 SECTION 2. Arkansas Code § 12-12-1201 is amended to read as follows:
22 12-12-1201. Authorization.

23 The Arkansas Crime Information Center is authorized to develop and
24 operate a computerized victim notification system which shall provide:

25 (1) A mechanism for victims of criminal offenses or the victim's
26 next of kin to access information about proceedings in the criminal justice
27 and corrections systems by use of a twenty-four-hour toll-free in-watts
28 telephone service; and

29 (2) Automatic notification by computerized telephone service to
30 the victims of criminal offenses or the victim's next of kin of:

31 (A) An inmate's, parolee's, or probationer's status,
32 including the location of the inmate, parolee, or probationer; ~~and~~

33 (B) A person's release or modification of a conditional
34 release from the custody of the Arkansas State Hospital, a local or regional
35 hospital, a local or regional mental health facility, or a local or regional
36 jail to which the person has been committed by a court when the person

1 committed a criminal act against the victim but was adjudicated in the
2 criminal case to have a mental disease or defect under § 5-2-301 et seq.; and
3 (C) A sex offender's application for the termination of
4 the obligation to register as a sex offender under § 12-12-919.

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6 /s/D. Wallace

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9 **APPROVED: 4/11/23**
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