

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1687

CONCERNING A REGISTERED SEX OFFENDER ON THE CAMPUS OF A PRIVATE SCHOOL.

Amendment No. 1 to House Bill No. 1687

Amend House Bill No. 1687 as originally introduced:

Add Representative Dalby as a cosponsor of the bill

AND

Delete Representative Tucker as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-14-132, as amended by Act 2017, No. 267, is amended to read as follows:

5-14-132. Registered offender prohibited from entering upon school campus – Exception.

(a) As used in this section:

(1) "Campus" means the real property, a building, or any other improvement in this state owned, leased, rented, or controlled by or for the operation of a public school; ~~and~~

(2) "Private school" means a school offering instruction for a grade in kindergarten through grade twelve (K-12) in this state that is not a public school; and

~~(2)(3)~~ "Public school" means any school in this state that is:

(A) A public school operated by a public school district;
(B) A charter school established under the Public School Funding Act of 2003, § 6-20-2301 et seq.;

(C) A state-funded prekindergarten program operated by a public school or an education service cooperative;

(D) The Arkansas School for the Blind;

(E) The Arkansas School for the Deaf;

(F) The Arkansas School for Mathematics, Sciences, and the Arts;

(G) An educational facility of the Division of Youth Services of the Department of Human Services or that is contracting with the Division of Youth Services; or



(H) An educational facility of the Division of Developmental Disabilities Services of the Department of Human Services.

(b) It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to knowingly enter upon the campus of a public school or private school.

(c) It is not a violation of this section if the sex offender:

(1) Is less than twenty-two (22) years of age and is a student enrolled in a ~~grade~~ kindergarten through grade twelve (K-12) program;

(2) Enters upon the campus for the purpose of attending a graduation ceremony or a baccalaureate ceremony;

(3) Enters upon the campus on a day that is not designated a student contact day by the public school's or private school's calendar or on a day in which no school-sponsored event is taking place upon the campus;

(4) Is the parent or guardian of a student enrolled in a public school or private school and enters upon the campus where the student is enrolled for the purpose of:

(A) Delivering to the student medicine, food, or personal items if the medicine, food, or personal items are delivered directly to the public school's or private school's office; or

(B) Attending a scheduled parent-teacher conference if the sex offender is escorted to and from the scheduled parent-teacher conference by a designated public school or private school official or employee; or

(5) Has been assessed as a Level 3 sex offender and enters upon the campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold or distributed if the sex offender:

(A)(i) Is the parent or guardian of or is related by blood or marriage within the fourth degree of consanguinity to a student enrolled in the public school or private school.

(ii) The degree of consanguinity is computed under § 28-9-212; and

(B) Notifies the administration of the public school or private school in writing at least twenty-four (24) hours before the start of the school-sponsored event for which an admission fee is charged or tickets are sold or distributed that he or she will be attending the school-sponsored event for which an admission fee is charged or tickets are sold or distributed.

(d)(1) A sex offender who is the parent or guardian of a student enrolled in a public school or private school and wishes to enter upon the campus where the student is enrolled for any other purpose shall give reasonable notice to the public school or private school principal or his or her designee.

(2)(A) The public school or private school principal or his or her designee may allow the parent or guardian sex offender to enter upon the campus so long as there is a designated public school or private school official or employee available to escort and supervise the parent or guardian sex offender while he or she remains on campus.

(B) If a designated public school or private school official or employee is not available at the time the parent or guardian sex offender wishes to enter upon the campus, the parent or guardian sex offender shall not enter upon the campus until he or she is notified that a designated

public school or private school official or employee is available.

(e) Upon conviction, any sex offender who violates this section is guilty of a Class D felony."

The Amendment was read _____
By: Representative Dalby
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Chief Clerk