

Hall of the House of Representatives

93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1098

TO RESTRICT THE CIRCUMSTANCES UNDER WHICH A SEX OFFENDER MAY BE PERMITTED ON OR NEAR THE PREMISES OF A CHILDCARE FACILITY; AND TO REQUIRE NOTICE TO CERTAIN PERSONS WHEN A SEX OFFENDER IS ON THE PREMISES OF A CHILDCARE FACILITY.

Amendment No. 4 to House Bill 1098

Amend House Bill No. 1098 as engrossed H2/22/21 (version: 02/22/2021 9:50:21 AM):

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 78, Subchapter 2, is amended to add an additional section to read as follows:

20-78-229. Notice concerning registered sex offenders – Definition.

(a) As used in this section, "immediate family member" means a person who resides in the home of and is the spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law of an owner, operator, service provider, or director of a childcare facility or an employee of a childcare facility.

(b) If an owner, operator, service provider, or director of a childcare facility or an employee of a childcare facility has an immediate family member who is a Level 2 sex offender whose information is made public under § 12-12-913(j)(1)(B), a Level 3 sex offender, or a Level 4 sex offender, the owner, operator, service provider, or director of the childcare facility shall provide notification in writing or by electronic mail to the parent, legal guardian, person having lawful control, or person standing in loco parentis of a child who attends the childcare facility that:

(1) The owner, operator, service provider, director, or employee has an immediate family member who is a Level 2, Level 3, or Level 4 sex offender; and

(2) The immediate family member who is a Level 2, Level 3, or Level 4 sex offender will not be present on the premises of the childcare facility while children are present.

(c) This section does not create a duty on behalf of an owner, operator, service provider, or director of a childcare facility to take any action other than providing the notice required under subsection (b) of this section if the owner, operator, service provider, or director of the childcare facility becomes aware of the information concerning a sex offender described in subsection (b) of this section."



The Amendment was read _____
By: Representative Wooten
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Chief Clerk