

**ARKANSAS SENATE**  
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. 1 to House Bill 1098**

Amend House Bill No. 1098 as engrossed H3/4/21 (version: 03/04/2021 10:14:49 AM):

Add Senator K. Hammer as a cosponsor of the bill

AND

Delete the title in its entirety and substitute:

"AN ACT TO REQUIRE NOTICE TO CERTAIN PERSONS WHEN A SEX OFFENDER IS ON THE  
PREMISES OF A CHILDCARE FACILITY; CONCERNING THE PRESENCE OF A SEX OFFENDER  
ON THE PREMISES OF A CHILDCARE FACILITY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO REQUIRE NOTICE TO CERTAIN PERSONS WHEN A SEX OFFENDER IS ON THE PREMISES  
OF A CHILDCARE FACILITY; AND CONCERNING THE PRESENCE OF A SEX OFFENDER ON THE  
PREMISES OF A CHILDCARE FACILITY."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 9, is  
amended to add an additional section to read as follows:

12-12-930. Notice requirement when owner, operator, lessee, or  
administrator of childcare facility is married to sex offender.

(a) As used in this section, "sex offender" means a:

(1) Level 2 sex offender whose information is made public under  
§ 12-12-913(j)(1)(B);

(2) Level 3 sex offender; or

(3) Level 4 sex offender.

(b) If an owner, operator, lessee, or administrator of a childcare  
facility is married to a sex offender, the owner, operator, lessee, or



administrator shall provide notification in writing or by email 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, lessee, or administrator is married to a sex offender; and

(2) The sex offender will not be present on the premises of the childcare facility while children are present."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator K. Hammer

JNL/JNL - 04-05-2021 12:33:01

JNL361

\_\_\_\_\_  
Secretary