



*Arkansas
Sentencing
Commission*

**Impact Assessment for SB266
Sponsored by Senator Files**

Subtitle TO REQUIRE THAT A PERSON WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER NOTIFY CERTAIN CHURCHES OR PLACES OF WORSHIP THAT HE OR SHE IS A REGISTERED SEX OFFENDER.

Impact Summary¹ Undetermined.

Change from current law² Amends Arkansas Code Title 12, Chapter 12, Subchapter 9 by adding a new provision, A.C.A. § 12-12-928, Duty of a sex offender to notify certain churches or places of worship. The proposed bill creates a Class D felony for knowingly violating this section. The proposed bill defines “organized function or activity” as not to include a church service, Catholic mass, or other formalized period of communal worship.

Under A.C.A. § 12-12-928(b), a person who is required to register as a sex offender under this subchapter shall notify a religious leader of a church or other place of worship that the person is required to register as a sex offender if the person:

1. Is a member of the congregation of the church or other place of worship;
2. Participates in an organized function or activity administered, supervised or operated by a church or other place of worship; or
3. Participates in any activity on the grounds of the church or other place of worship that is primarily intended for a minor.

Under A.C.A. § 12-12-928(c), if the religious leader of a church or other place of worship is a person who is required to register as a sex offender under this subchapter, the religious leader shall notify the governing body of the church or other place of worship, if applicable.

Impact Information

Arkansas Crime Information Center (ACIC) reports the following as of March 12, 2015: There are 1,124 level one sex offenders on the Arkansas Sex Offender Registry. There are 5,478 level two sex offenders on the

¹ This impact assessment was prepared (3/16/15 at 4:07 p.m.) by the staff of the Arkansas Sentencing Commission pursuant to A. C. A. § 16-90-802(d)(6) with data supplied by the Arkansas Department of Correction and the Administrative Office of the Courts. A micro-simulation model may be used for bills which have the potential for significant impact on correctional resources. The following designations will be used: “minimal” = less than 10 offenders per year will be affected; “medium” = would require budgetary increases for ADC inmate costs; and “major” = would require budgetary increases for ADC inmate costs and construction costs for additional beds.

² Standard punishment ranges:

Class Y	10-40 years or life	Class C	3-10 years; up to \$10,000	Class A	Up to 1 year; up to \$2,500
Class A	6-30 years; up to \$15,000	Class D	0-6 years; up to \$10,000	Class B	Up to 90 days; up to \$1,000
Class B	5-20 years; up to \$15,000	Unclassified	As specified in statute	Class C	Up to 30 days; up to \$500

Arkansas Sex Offender Registry. There are 4,722 level three sex offenders on the Arkansas Sex Offender Registry. There are 368 level four sex offenders on the Arkansas Sex Offender Registry. This would serve as the potential pool of offenders under the proposed bill. The impact of this proposed bill cannot be determined.