

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2007-222

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

GRH/GRH
HOUSE BILL

By: Representative Medley

Filed with: House Committee on Public Health, Welfare and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO PROHIBIT SEX OFFENDERS FROM LIVING NEAR
EMERGENCY SHELTERS FOR CHILDREN; AND FOR OTHER
PURPOSES.

Subtitle

TO PROHIBIT SEX OFFENDERS FROM LIVING
NEAR EMERGENCY SHELTERS FOR CHILDREN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 5, Chapter 14, Subchapter 1 is amended to add an additional section to read as follows:

5-14-133. Registered offender living near emergency shelter for children prohibited.

(a) 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 reside within five thousand two hundred eighty feet (5,280') of the property on which any emergency shelter for children is located.

(b)(1) It is not a violation of this section if the property on which the sex offender resides is owned and occupied by the sex offender and was purchased before the date on which the emergency shelter for children was established.

(2) The exclusion in subdivision (b)(1) of this section does not

1 apply to a sex offender who pleads guilty or nolo contendere to or is found
2 guilty of another sex offense after the emergency shelter for children is
3 established.

4 (c)(1) It is not a violation of this section if the sex offender
5 resides on property he or she owned before the effective date of this act.

6 (2) The exclusion in subdivision (c)(1) of this section does not
7 apply to a sex offender who pleads guilty or nolo contendere to or is found
8 guilty of another sex offense on or after the effective date of this act.

9 (d) A sex offender who is required to register under the Sex Offender
10 Registration Act of 1997, § 12-12-901 et seq., and who knowingly violates
11 this section is guilty of a Class D felony.

12 (e) As used in this section, "emergency shelter for children" means
13 any residential child care facility that:

14 (1) Provides care to children on a time-limited basis; and

15 (2) The Department of Human Services includes in the directory
16 of Arkansas State Licensed Placement Facilities.