

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.

State of Arkansas

As Engrossed: H1/24/01

83rd General Assembly

A Bill

Regular Session, 2001

HOUSE BILL 1188

By: Representative Hunt

For An Act To Be Entitled

AN ACT TO AMEND VARIOUS SUBSECTIONS OF ARKANSAS CODE
12-12-906 REGARDING THE REGISTRATION OF SEX OFFENDERS;
AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND VARIOUS SUBSECTIONS OF
ARKANSAS CODE 12-12-906 REGARDING THE
REGISTRATION OF SEX OFFENDERS.

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

SECTION 1. Arkansas Code 12-12-906(a)(1), concerning the registration of sex offenders, is amended to read as follows:

(a)(1)(A) At the time of an offender's adjudication of guilt, the sentencing court shall require the offender to complete the sex offender registration form in the format prepared by the Director of the Arkansas Crime Information Center pursuant to § 12-12-908.

(B)(1) For offenders who are sentenced to a term of incarceration in the Department of Correction, it shall be the responsibility of the Department of Correction to assure that those offenders complete the sex offender registration form.

(2) For offenders who are adjudicated guilty but not sentenced to a term of incarceration in the Department of Correction, it shall be the responsibility of the Department of Community Punishment to assure that those offenders complete the sex offender registration form.

SECTION 2. Arkansas Code 12-12-906(c)(1), concerning the registration

1 of sex offenders, is amended to read as follows:

2 (c)(1) When registering an offender as provided in subsection (a) of
3 this section, the Department of Correction, the Department of Community
4 Punishment, the Department of Human Services, ~~the sentencing court,~~ or the
5 local law enforcement agency having jurisdiction shall:

6 (A) Inform the offender of the duty to register and obtain
7 the information required for registration as described in § 12-12-908;

8 (B) Inform the offender that if the offender changes
9 address, the offender shall give the new address to the Arkansas Crime
10 Information Center in writing no later than ten (10) days before the offender
11 establishes residency or is temporarily domiciled at the new address;

12 (C) Inform the offender that if the offender changes
13 address to another state, the offender shall register the new address with the
14 Arkansas Crime Information Center and with a designated law enforcement agency
15 in the new state not later than ten (10) days before the offender establishes
16 residence or is temporarily domiciled in the new state, if the new state has a
17 registration requirement;

18 (D)(i) Obtain fingerprints and a photograph of the offender
19 if these have not already been obtained in connection with the offense that
20 triggered registration.

21 (ii) If the registration is performed by the
22 sentencing court, the arresting law enforcement agency shall provide the court
23 *with a copy of the fingerprints and a photograph of the offender;*

24 (iii)(a) Any offender required to register as a sex offender must
25 provide a DNA sample (blood sample or saliva sample) upon registering, if a
26 sample has not already been provided to the Arkansas State Crime Laboratory.

27 (b) Any offender required to register as a sex offender who
28 is entering the State of Arkansas must provide a DNA sample (blood sample or
29 saliva sample) upon registration and must pay the mandatory fee of two hundred
30 fifty dollars (\$250) to the DNA Detection Fund established under Act 737 of
31 1997.

32 (E) Require the offender to complete the entire
33 registration process, including, but not limited to, requiring the offender to
34 read and sign a form stating that the duty of the person to register under
35 this subchapter has been explained;

36 (F) Inform the offender that if the offender's address

1 changes due to an eviction, natural disaster or any other unforeseen
2 circumstance, the offender shall give the new address to the Arkansas Crime
3 Information Center in writing no later than five (5) business days after the
4 offender establishes residency; and

5 (G) Inform an offender who has been granted probation, that
6 failure to comply with the provisions of this subchapter shall be grounds for
7 revocation of the offender's probation.

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9 SECTION 3. Arkansas Code 12-12-906(d)), concerning the registration of
10 sex offenders, is amended to read as follows:

11 (d) When registering or updating the registration file of a sexually
12 violent predator, the Department of Correction, the Department of Community
13 Punishment, the Department of Human Services, ~~the sentencing court,~~ or the
14 local law enforcement agency having jurisdiction shall, in addition to the
15 requirements of subdivision (c)(1) or (2) of this section, obtain
16 documentation of any treatment received for the mental abnormality or
17 personality disorder of the sexually violent predator.

18 /s/ Hunt
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