

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.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H3/21/01

## A Bill

HOUSE BILL 2434

5 By: Representatives Hausam, Hathorn, Green, Dees, Broadway, Milum, R. Smith, Allison, Gillespie  
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### For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR SEXUALLY VIOLENT PREDATOR  
10 ASSESSMENTS PRIOR TO PROSECUTION; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

14 TO PROVIDE FOR SEXUALLY VIOLENT PREDATOR  
15 ASSESSMENTS PRIOR TO PROSECUTION.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code 12-12-918(a), concerning classification as a  
21 sexually violent predator, is amended to read as follows:

22 ~~(a)(1) In order to classify a person as a sexually violent predator, a~~  
23 ~~prosecutor shall allege on the face of an information that he is seeking a~~  
24 ~~determination that the defendant is a sexually violent predator.~~

25 ~~(2)(A) If~~ (a)(1)(A) In order to classify a person as a sexually  
26 violent predator, if the defendant is adjudicated guilty of a sexual offense,  
27 a sexually violent offense, or an offense against a victim who is a minor,  
28 the court shall enter an order directing an examiner qualified by the Sex  
29 Offenders Assessment Committee to issue a report to the sentencing court that  
30 recommends whether or not the defendant should be classified as a sexually  
31 violent predator.

32 (B) Copies of the report shall be forwarded immediately to  
33 the prosecutor and defense attorney.

34 (C) The report shall not be admissible for purposes of  
35 sentencing.

36 ~~(3)(2)~~ After sentencing, the court shall make a determination

1 regarding the defendant's status as a sexually violent predator.

2 /s/ Hausam, et al.

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