

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 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: S4/3/03*  
**A Bill**

SENATE BILL 691

5 By: Senator Critcher  
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**For An Act To Be Entitled**

9 AN ACT TO EXPAND THE ARKANSAS SCHOOL CHILDREN  
10 PROTECTION ACT TO INCLUDE SEXUAL CONTACT WITH A  
11 STUDENT THAT DOES NOT VIOLATE THE ARKANSAS  
12 CRIMINAL CODE; AND FOR OTHER PURPOSES.  
13

**Subtitle**

14 AN ACT TO EXPAND THE ARKANSAS SCHOOL  
15 CHILDREN PROTECTION ACT TO INCLUDE  
16 SEXUAL CONTACT WITH A STUDENT THAT DOES  
17 NOT VIOLATE THE ARKANSAS CRIMINAL CODE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 6-17-116 is amended to read as follows:  
24 6-17-116. Protection from sex offenders.

25 (a) This section shall be known and may be cited as "The Arkansas  
26 School Children Protection Act."

27 (b) For purposes of this section:

28 (1) A sexual offense is one described in § 5-14-101 et seq.; ~~and~~

29 (2) "Conviction" means having pled guilty or nolo contendere to  
30 or having been found guilty of committing a sexual offense against a minor or  
31 a student;

32 (3) "Sexual contact" means any act of sexual gratification  
33 involving the touching, directly or through clothing, of the sex organs,  
34 buttocks, or anus of a person or the breast of a female; and

35 (4) "Student" means a person enrolled in a public school in  
36 grades kindergarten through twelve (K-12) who is under the age of twenty-one



1 (21) years.

2 (c) Any public school district employee who commits a sexual offense  
3 against a minor shall upon conviction be dismissed from employment and shall  
4 not thereafter be eligible for employment by any school in this state.

5 (d)(1) Any public school teacher teaching grades kindergarten through  
6 twelve (K-12) who commits a sexual offense against a student enrolled in the  
7 same school in which the teacher is employed as a teacher, shall upon  
8 conviction be dismissed from employment and shall not thereafter be eligible  
9 for employment by any school in this state.

10 (2)(A) If the State Board of Education determines that a public  
11 school teacher teaching grades kindergarten through twelve (K-12) had sexual  
12 contact with a student enrolled in the same school in which the teacher is  
13 employed as a teacher, the teacher shall not thereafter be eligible for  
14 employment by any school in this state.

15 (B) This subdivision (d)(2) applies even if the sexual  
16 contact does not violate the Arkansas Criminal Code, § 5-1-101 et seq.

17 /s/ Critcher

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