

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/2/11
A Bill

HOUSE BILL 1243

5 By: Representatives Woods, Harris
6

7 **For An Act To Be Entitled**

8 AN ACT TO PROVIDE FOR AN ADMINISTRATIVE SEX OFFENDER
9 ADDRESS LATE VERIFICATION FEE; AND FOR OTHER
10 PURPOSES.
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12
13 **Subtitle**

14 TO PROVIDE FOR AN ADMINISTRATIVE SEX
15 OFFENDER ADDRESS LATE VERIFICATION FEE.
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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 Title 12, Chapter 12, Subchapter 9 is amended
21 to add a new section to read as follows:

22 12-12-924. Fee for late verification.

23 (a)(1) A sex offender who is required to verify his or her address
24 with the local law enforcement agency having jurisdiction under this
25 subchapter shall be assessed a late fee as described as follows each instance
26 he or she is late in verifying his or her address with the local law
27 enforcement agency having jurisdiction:

28 (A) Thirty dollars (\$30.00) if the sex offender is more
29 than five (5) days late but fewer than seven (7) days late;

30 (B) Sixty dollars (\$60.00) if the sex offender is seven
31 (7) days or more late but fewer than ten (10) days late; and

32 (C)(i) One hundred twenty dollars (\$120) if the sex
33 offender is ten (10) days or more late.

34 (ii) The local law enforcement agency having
35 jurisdiction shall immediately notify the prosecuting attorney of a potential
36 violation of § 12-12-904 if a sex offender is ten (10) days or more late in



1 verifying his or her address.

2 (2) A Level 4 sex offender who is assessed a late fee under
3 subdivision (a)(1) of this section shall pay two (2) times the amount of the
4 late fee under subdivision (a)(1) of this section.

5 (b)(1) The local law enforcement agency having jurisdiction shall
6 retain one-third (1/3) of the fee described in this section and shall deposit
7 the retained portion of the fee into the sex offender monitoring fund under
8 subdivision (b)(2)(A) of this section.

9 (2)(A) There is created on the books of all local law
10 enforcement agencies having jurisdiction a sex offender monitoring fund.

11 (B) The sex offender monitoring fund shall consist of any
12 retained portions of fees under subdivision (b)(1) of this section and any
13 other revenue as may be provided by law or ordinance.

14 (C) Moneys from the sex offender monitoring fund may not
15 supplant other local, state, or federal funds.

16 (D) Moneys in the sex offender monitoring fund are
17 appropriated on a continuing basis and are not subject to the Revenue
18 Stabilization Law, § 19-5-101 et seq.

19 (E) Moneys in the sex offender monitoring fund shall only
20 be used for law enforcement purposes designed to monitor sex offenders,
21 notify the community of sex offenders, and verify sex offenders' addresses.

22 (F) The sex offender monitoring fund is subject to audit
23 by the Division of Legislative Audit.

24 (3) The remaining two-thirds (2/3) of the fee described in this
25 section collected by the local law enforcement agency having jurisdiction
26 shall be remitted by the tenth day of each month to the Administration of
27 Justice Funds Section of the Office of Administrative Services of the
28 Department of Finance and Administration on a form provided by the office for
29 deposit into the Sex and Child Offenders Registration Fund as established by
30 § 12-12-911.

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32 /s/Woods
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