1	State of Arkansas	As Engrossed: H2/17/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011	HOUSE BILL 1368	
4			
5	By: Representatives Eubanks, Baird, Bell, Benedict, J. Burris, Catlett, Collins, Collins-Smith,		
6	Deffenbaugh, J. Edwards, E. Elliott, Gillam, Hickerson, Hopper, Hubbard, D. Hutchinson, Johnston,		
7	King, Lampkin, Lenderman, Linck, Mauch, D. Meeks, Rice, Shepherd, Stewart, Stubblefield, Vines,		
8	Wardlaw, Westerman		
9			
10	For An Act To Be Entitled		
11	AN ACT CONCE	RNING VISITATION RIGHTS WITH A MINOR	
12	CHILD FOR A	PARENT LISTED ON THE SEX OFFENDER	
13	REGISTRY; AN	D FOR OTHER PURPOSES.	
14			
15			
16		Subtitle	
17	CONCERN	VING VISITATION RIGHTS WITH A MINOR	
18	CHILD FOR A PARENT LISTED ON THE SEX		
19	OFFENDE	CR REGISTRY.	
20			
21			
22	BE IT ENACTED BY THE GEN	ERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
23			
24	SECTION 1. Arkans	as Code § 9-13-105 is amended to read as follows:	
25	9-13-105. Crimina	l records check.	
26	(a)(1) Any parent	of a minor child in a circuit court case may	
27	petition the court to order a criminal records check of the other parent of a		
28	the minor child <u>or other adult members of the household eighteen (18) years</u>		
29	of age or older that reside with the parent for custody and visitation		
30	determination purposes.		
31	<u>(2)</u> If the	court determines there is reasonable cause to suspect	
32	that the other parent may have engaged in criminal conduct that would be		
33	relevant to the issue of custody of the minor child or visitation privileges		
34	the court may order the sheriff of the county in which the petition was file		
35	to conduct a criminal records check through the Arkansas Crime Information		
36	Center, including a check of the Sex Offender Registry, § 12-12-901 et seq.		

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(3) The court shall review the results of the criminal records
check, and if it deems appropriate, provide the results to the petitioning
parent.
(4) Any costs associated with conducting a criminal records
check shall be borne by the petitioning party.
(b)(1) There is a rebuttable presumption that supervised visitation,
$\underline{ ext{if any, with a parent listed on the registry is in the best interest of the}}$
minor child.
(2) The burden is on the parent listed on the registry to rebut
the presumption.
/s/Eubanks