

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

HOUSE BILL 1676

4
5 By: Representative D. Meeks
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For An Act To Be Entitled

8 AN ACT TO PROHIBIT RE-HOMING OF A CHILD; AND FOR
9 OTHER PURPOSES.

Subtitle

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12 TO PROHIBIT RE-HOMING OF A CHILD.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code Title 5, Chapter 27, Subchapter 2, is amended
19 to add an additional section to read as follows:

20 5-27-211. Re-homing of a minor.

21 (a) As used in this section, "relative" means a person within the
22 fifth degree of consanguinity by virtue of blood or adoption.

23 (b) A person commits the offense of re-homing of a minor if he or she
24 knowingly engages in:

25 (1)(A) A transaction or an action taken to facilitate a
26 transaction through electronic means or otherwise by a parent, an individual,
27 or an entity having custody of a minor that is taken:

28 (i) Without court approval; and

29 (ii) Except as provided under subsection (c) of this
30 section, to avoid permanent parental responsibility by placing the minor in
31 the physical custody of another person or entity.

32 (B) As used in subdivision (b)(1)(A) of this section,
33 "transaction" includes without limitation transferring, recruiting,
34 harboring, transporting, providing, soliciting, or obtaining a minor;

35 (2) The selling, transferring, or arranging for the sale or
36 transfer of a minor to another person or entity for money or anything of



1 value or to receive a minor for money or anything of value;or

2 (3) Assisting, aiding, abetting, or conspiring in the commission
3 of an act described in subdivision (b)(1) or (b)(2) of this section by a
4 person or an entity, regardless of whether money or anything of value has
5 been promised to or received by the person or entity.

6 (c) This section does not apply to:

7 (1) A person who places a minor with a relative, stepparent, an
8 agency licensed under the Child Welfare Agency Licensing Act, § 9-28-401 et
9 seq., a licensed attorney, or the Department of Human Services;

10 (2) Placement of a minor by a licensed attorney, an agency
11 licensed under the Child Welfare Agency Licensing Act, § 9-28-401 et seq., or
12 the Department of Human Services;

13 (3) Temporary placement of a minor by a parent or custodian for
14 a designated short-term period with a specified intent and time period for
15 return of the minor, if the temporary placement is due to a vacation or a
16 school-sponsored function or activity, or the incarceration, military
17 service, medical treatment, or incapacity of a parent or guardian;

18 (4) Placement of a minor in another state in accordance with the
19 requirements of the Interstate Compact on the Placement of Children, § 9-29-
20 201 et seq.; or

21 (5) Relinquishment of a minor under the voluntary delivery of a
22 child law, under § 9-34-201 et seq.

23 (d) Re-homing of a minor is an unclassified felony with a term of
24 imprisonment of not more than five (5) years and a fine of not more than five
25 thousand dollars (\$5,000).

26 (e) It is not a defense to prosecution for a violation of this section
27 that the person being re-homed is actually a law enforcement officer acting
28 within the official scope of his or her duties.

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