

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1540

5 By: Representative Shepherd  
6 By: Senator J. Hutchinson  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE REGISTRATION OF CONVICTED SEX  
10 OFFENDERS ON THE ARKANSAS SEX OFFENDER REGISTRY;  
11 CONCERNING REQUIRED INFORMATION ON THE ARKANSAS SEX  
12 OFFENDER REGISTRY; CONCERNING IN-PERSON REPORTING;  
13 AND FOR OTHER PURPOSES.  
14  
15

## Subtitle

16 CONCERNING THE REGISTRATION OF CONVICTED  
17 SEX OFFENDERS ON THE ARKANSAS SEX  
18 OFFENDER REGISTRY; CONCERNING REQUIRED  
19 INFORMATION ON THE ARKANSAS SEX OFFENDER  
20 REGISTRY; AND CONCERNING IN-PERSON  
21 REPORTING.  
22  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code § 12-12-903 is amended to add new definitions  
28 to read as follows:

29 (16)(A) "Social media account" means a personal account with an  
30 electronic medium or service in which a user may create, share, or access  
31 user-generated content, including without limitation:

32 (i) A video;

33 (ii) A photograph;

34 (iii) A blog post;

35 (iv) A podcast;

36 (v) A transmission or message; or



- 1                    (vi) An email.
- 2                    (B) "Social media account" includes without limitation an
- 3 account established with:
- 4                    (i) Facebook;
- 5                    (ii) Twitter;
- 6                    (iii) LinkedIn;
- 7                    (iv) MySpace;
- 8                    (v) Instagram;
- 9                    (vi) SnapChat;
- 10                   (vii) YouTube; or
- 11                   (viii) Any other similar format, program,
- 12 application, or Internet service; and
- 13                   (17) "Social media account information" means information
- 14 concerning a social media account, including without limitation:
- 15                   (A) A screen name;
- 16                   (B) A user identification;
- 17                   (C) A user name;
- 18                   (D) A password; or
- 19                   (E) Any other information required to gain access to the
- 20 social media account.

21

22                   SECTION 2. Arkansas Code § 12-12-904 is amended to read as follows:

23                   12-12-904. Failure to comply with registration and reporting

24 requirements – Refusal to cooperate with assessment process.

25                   (a)(1)(A) A person is guilty of a Class C felony who:

- 26                                (i) Fails to register or verify registration as
- 27 required under this subchapter;
- 28                                (ii) Fails to report in person a change of address,
- 29 employment, education, or training as required under this subchapter;
- 30                                (iii) Refuses to cooperate with the assessment
- 31 process as required under this subchapter; or
- 32                                (iv) Files false paperwork or documentation
- 33 regarding verification, change of information, or petitions to be removed
- 34 from the registry.

35                                (B)(i) Upon conviction, a sex offender who fails or

36 refuses to provide any information necessary to update his or her

1 registration file as required by § 12-12-906(b)(2) is guilty of a Class C  
 2 felony.

3 (ii) If a sex offender fails or refuses to provide  
 4 any information necessary to update his or her registration file as required  
 5 by § 12-12-906(b)(2), as soon as administratively feasible the Department of  
 6 Correction, the Department of Community Correction, the Arkansas State  
 7 Hospital, or the Department of Human Services shall contact the local law  
 8 enforcement agency having jurisdiction to report the violation of subdivision  
 9 (a)(1)(B)(i) of this section.

10 (2) It is an affirmative defense to prosecution if the person:

11 (A) Delayed reporting a change in address because of:

12 (i) An eviction;

13 (ii) A natural disaster; or

14 (iii) Any other unforeseen circumstance; and

15 (B) Provided the new address to the local law enforcement  
 16 agency having jurisdiction ~~in writing~~ in person no later than five (5)  
 17 business days after the person establishes residency.

18 (b) Any agency or official subject to reporting requirements under  
 19 this subchapter that knowingly fails to comply with the reporting  
 20 requirements under this subchapter is guilty of a Class B misdemeanor.

21  
 22 SECTION 3. Arkansas Code § 12-12-906 is amended to read as follows:

23 12-12-906. Duty to register or verify registration generally – Review  
 24 of requirements with offenders.

25 (a)(1)(A)(i) At the time of adjudication of guilt, the sentencing  
 26 court shall enter on the judgment and commitment or judgment and disposition  
 27 form that the offender is required to register as a sex offender and shall  
 28 indicate whether the:

29 (a) Offense is an aggravated sex offense;

30 (b) Sex offender has been adjudicated guilty  
 31 of a prior sex offense under a separate case number; or

32 (c) Sex offender has been classified as a  
 33 sexually dangerous person.

34 (ii) If the sentencing court finds the offender is  
 35 required to register as a sex offender, then at the time of adjudication of  
 36 guilt the sentencing court shall require the sex offender to complete the sex

1 offender registration form prepared by the Director of the Arkansas Crime  
2 Information Center pursuant to § 12-12-908 and shall forward the completed  
3 sex offender registration form to the Arkansas Crime Information Center.

4 (B)(i) The Department of Correction shall ensure that a  
5 sex offender received for incarceration has completed the sex offender  
6 registration form.

7 (ii) If the Department of Correction cannot confirm  
8 that the sex offender has completed the sex offender registration form, the  
9 Department of Correction shall require the sex offender to complete the sex  
10 offender registration form upon intake, release, or discharge.

11 (C)(i) The Department of Community Correction shall ensure  
12 that a sex offender placed on probation or another form of community  
13 supervision has completed the sex offender registration form.

14 (ii) If the Department of Community Correction  
15 cannot confirm that the sex offender has completed the sex offender  
16 registration form, the Department of Community Correction shall require the  
17 sex offender to complete the sex offender registration form upon intake,  
18 release, or discharge.

19 (D)(i) The Arkansas State Hospital shall ensure that the  
20 sex offender registration form has been completed for any sex offender found  
21 not guilty by reason of insanity and shall arrange an evaluation by Community  
22 Notification Assessment.

23 (ii) If the Arkansas State Hospital cannot confirm  
24 that the sex offender has completed the sex offender registration form, the  
25 Arkansas State Hospital shall ensure that the sex offender registration form  
26 is completed for the sex offender upon intake, release, or discharge.

27 (2)(A) A sex offender who moves to or returns to this state from  
28 another jurisdiction and who would be required to register as a sex offender  
29 in the jurisdiction in which he or she was adjudicated guilty or delinquent  
30 of a sex offense shall register with the local law enforcement agency having  
31 jurisdiction in person within seven (7) calendar days after the sex offender  
32 moves to a municipality or county of this state.

33 (B)(i) Any person living in this state who would be  
34 required to register as a sex offender in the jurisdiction in which he or she  
35 was adjudicated guilty or delinquent of a sex offense shall register as a sex  
36 offender in this state whether living, working, or attending school or other

1 training in Arkansas.

2 (ii) A nonresident worker or student who enters the  
3 state shall register in compliance with the Adam Walsh Child Protection and  
4 Safety Act of 2006, Pub. L. No. 109-248, as it existed on January 1, 2007.

5 (C) A sex offender sentenced and required to register  
6 outside of Arkansas shall:

7 (i)(a) Submit to assessment by Community  
8 Notification Assessment if he or she is at least eighteen (18) years of age  
9 at the time he or she enters this state to live, work, or attend school.

10 (b) If he or she is under the age of eighteen  
11 (18) at the time he or she enters this state to live, work, or attend school,  
12 he or she shall submit to assessment by the University of Arkansas for  
13 Medical Sciences Family Treatment Program or other agency or entity  
14 authorized to conduct juvenile sex offender assessments;

15 (ii) Provide a deoxyribonucleic acid (DNA) sample if  
16 a sample is not already accessible to the State Crime Laboratory; and

17 (iii)(a) Pay the mandatory fee of two hundred fifty  
18 dollars (\$250) to be deposited into the DNA Detection Fund established by §  
19 12-12-1119 within ninety (90) days from the date of registration.

20 (b) Failure to pay the fee required under  
21 subdivision (a)(2)(C)(iii)(a) of this section is a Class A misdemeanor.

22 (b)(1) The registration file of a sex offender who is confined in a  
23 correctional facility or serving a commitment following acquittal on the  
24 grounds of mental disease or defect shall be inactive until the registration  
25 file is updated by the department responsible for supervision of the sex  
26 offender.

27 (2) Immediately prior to the release or discharge of a sex  
28 offender or immediately following a sex offender's escape or his or her  
29 absconding from supervision, the Department of Correction, the Department of  
30 Community Correction, the Arkansas State Hospital, or the Department of Human  
31 Services shall update the registration file of the sex offender who is to be  
32 released or discharged or who has escaped or has absconded from supervision.

33 (c)(1)(A) When registering a sex offender as provided in subsection  
34 (a) of this section, the sentencing court, the Department of Correction, the  
35 Department of Community Correction, the Arkansas State Hospital, the  
36 Department of Human Services, or the local law enforcement agency having

1 jurisdiction shall:

2 (i) Inform the sex offender of the duty to submit to  
 3 assessment and to register and obtain the information required for  
 4 registration as described in § 12-12-908;

5 (ii) Inform the sex offender that if the sex  
 6 offender changes residency within the state, the sex offender shall give the  
 7 new address and place of employment, education, higher education, or training  
 8 to the ~~Arkansas Crime Information Center~~ center in writing no later than ten  
 9 (10) days before the sex offender establishes residency or is temporarily  
 10 domiciled at the new address;

11 (iii)(a) Inform the sex offender that if the sex  
 12 offender changes residency to another state or enters another state to work  
 13 or attend school, the sex offender must also register in that state  
 14 regardless of permanent residency.

15 (b) The sex offender shall register the new  
 16 address and place of employment, education, higher education, or training  
 17 with the center and with a designated law enforcement agency in the new state  
 18 in person not later than three (3) business days after the sex offender  
 19 establishes residence or is temporarily domiciled in the new state;

20 (iv) Obtain fingerprints, palm prints, and a  
 21 photograph of the sex offender if these have not already been obtained in  
 22 connection with the offense that triggered registration;

23 (v) Obtain a deoxyribonucleic acid (DNA) sample if  
 24 one has not already been provided;

25 (vi) Require the sex offender to complete the entire  
 26 registration process, including, but not limited to, requiring the sex  
 27 offender to read and sign a form stating that the duty of the sex offender to  
 28 register under this subchapter has been explained;

29 (vii) Inform the sex offender that if the sex  
 30 offender's address changes within the state or to another state due to an  
 31 eviction, natural disaster, or any other unforeseen circumstance, the sex  
 32 offender shall give the new address to the local law enforcement agency  
 33 having jurisdiction ~~in writing~~ in person no later than three (3) business  
 34 days after the sex offender establishes residency;

35 (viii) Inform a sex offender who has been granted  
 36 probation that failure to comply with the provisions of this subchapter may

1 be grounds for revocation of the sex offender's probation; and

2 (ix) Inform a sex offender subject to lifetime  
3 registration under § 12-12-919 of the duty to:

4 (a) Verify registration and obtain the  
5 information required for registration verification as described in  
6 subsections (g) and (h) of this section; and

7 (b) Ensure that the information required for  
8 reregistration verification under subsections (g) and (h) of this section is  
9 provided to the local law enforcement agency having jurisdiction.

10 (B)(i) Any offender required to register as a sex offender  
11 must provide a deoxyribonucleic acid (DNA) sample, that is, a blood sample or  
12 saliva sample, upon registering if a sample has not already been provided to  
13 the State Crime Laboratory.

14 (ii) Any offender required to register as a sex  
15 offender who is entering the State of Arkansas must provide a  
16 deoxyribonucleic acid (DNA) sample, that is, a blood sample or saliva sample,  
17 upon registration and must pay the mandatory fee of two hundred fifty dollars  
18 (\$250) to be deposited into the DNA Detection Fund established by § 12-12-  
19 1119.

20 (2) When updating the registration file of a sex offender, the  
21 Department of Correction, the Department of Community Correction, the  
22 Arkansas State Hospital, or the Department of Human Services shall:

23 (A) Review with the sex offender the duty to register and  
24 obtain current information required for registration as described in § 12-12-  
25 908;

26 (B) Review with the sex offender the requirement that if  
27 the sex offender changes address within the state, the sex offender shall  
28 give the new address to the local law enforcement agency having jurisdiction  
29 ~~in writing~~ in person no later than ten (10) days before the sex offender  
30 establishes residency or is temporarily domiciled at the new address;

31 (C) Review with the sex offender the requirement that if  
32 the sex offender changes address to another state, the sex offender shall  
33 register the new address with the local law enforcement agency having  
34 jurisdiction in person and with a designated law enforcement agency in the  
35 new state in person not later than three (3) business days after the sex  
36 offender establishes residence or is temporarily domiciled in the new state

1 if the new state has a registration requirement;

2 (D) Require the sex offender to read and sign a form  
3 stating that the duty of the sex offender to register under this subchapter  
4 has been reviewed;

5 (E) Inform the sex offender that if the sex offender's  
6 address changes within the state or to another state due to an eviction,  
7 natural disaster, or any other unforeseen circumstance, the sex offender  
8 shall give the new address to the local law enforcement agency having  
9 jurisdiction ~~in writing~~ in person no later than three (3) business days after  
10 the sex offender establishes residency;

11 (F) Review with the sex offender the consequences of  
12 failure to provide any information required by subdivision (b)(2) of this  
13 section;

14 (G) Inform a sex offender subject to lifetime registration  
15 under § 12-12-919 of the duty to:

16 (i) Verify registration and report the information  
17 required for registration verification as described in subsections (g) and  
18 (h) of this section; and

19 (ii) Ensure that the information required for  
20 registration verification under subsections (g) and (h) of this section is  
21 provided in person to the local law enforcement agency having jurisdiction;  
22 and

23 (H) Review with a sex offender subject to lifetime  
24 registration under § 12-12-919 the consequences of failure to verify  
25 registration under § 12-12-904.

26 (d) When registering or updating the registration file of a sexually  
27 dangerous person, in addition to the requirements of subdivision (c)(1) or  
28 subdivision (c)(2) of this section, the sentencing court, the Department of  
29 Correction, the Department of Community Correction, the Arkansas State  
30 Hospital, the Department of Human Services, or the local law enforcement  
31 agency having jurisdiction shall obtain documentation of any treatment  
32 received for the mental abnormality or personality disorder of the sexually  
33 dangerous person.

34 (e) Any sex offender working, enrolled, or volunteering in a public or  
35 private elementary, secondary or postsecondary school, or institution of  
36 training shall notify the local law enforcement agency having jurisdiction in



1 person of that status and shall register in person with the local law  
2 enforcement agency having jurisdiction over that campus.

3 (f)(1) An offender required to register under this subchapter shall  
4 not change his or her name unless the change is:

5 (A) Incident to a change in the marital status of the sex  
6 offender; or

7 (B) Necessary to effect the exercise of the religion of  
8 the sex offender.

9 (2) The change in the sex offender's name shall be reported to  
10 the local law enforcement agency having jurisdiction in person within ten  
11 (10) calendar days after the change in name.

12 (3) A violation of this subsection is a Class C felony.

13 (g)(1) Except as provided in subsection (h) of this section, a sex  
14 offender subject to lifetime registration under § 12-12-919 shall report in  
15 person every six (6) months after registration to the local law enforcement  
16 agency having jurisdiction to verify registration.

17 (2) The local law enforcement agency having jurisdiction may  
18 determine the appropriate times and days for in-person reporting by the sex  
19 offender, and the determination shall be consistent with the reporting  
20 requirements of subdivision (g)(1) of this section.

21 (3) Registration verification shall include reporting in person  
22 any change to the following information concerning the sex offender:

23 (A) Name;

24 (B) Social Security number;

25 (C) Age;

26 (D) Race;

27 (E) Gender;

28 (F) Date of birth;

29 (G) Height;

30 (H) Weight;

31 (I) Hair and eye color;

32 (J)(i) Address of any permanent residence and address of  
33 any current temporary residence within this state or out of this state,  
34 including a rural route address and a post office box.

35 (ii) A post office box shall not be provided in lieu  
36 of a physical residential address;

1 (K) Date and place of any employment or volunteer work;

2 (L) Vehicle make, model, color, and license tag number  
3 that the sex offender owns, operates, or to which he or she has access;

4 (M)(i) Fingerprints.

5 (ii) If the local law enforcement agency having  
6 jurisdiction cannot confirm that the sex offender's fingerprints are  
7 contained in the automated fingerprint identification system, the local law  
8 enforcement agency having jurisdiction shall:

9 (a) Take the sex offender's fingerprints in  
10 person at an office of the law enforcement agency having jurisdiction; and

11 (b) Submit the fingerprints to the center and  
12 to the Department of Arkansas State Police.

13 (iii) If the local law enforcement agency having  
14 jurisdiction cannot confirm that the sex offender's palm prints are contained  
15 in the automated palm print identification system, the local law enforcement  
16 agency having jurisdiction shall:

17 (a) Take the sex offender's palm prints in  
18 person at an office of the law enforcement agency having jurisdiction; and

19 (b) Submit the palm prints to the center and  
20 to the Department of Arkansas State Police;

21 (N)(i) Photograph.

22 (ii) The local law enforcement agency having  
23 jurisdiction shall take a photograph of the sex offender at each registration  
24 verification in person at an office of the law enforcement agency having  
25 jurisdiction and submit the photograph to the center;

26 (O) All computers or other devices with Internet  
27 capability to which the sex offender has access;

28 (P) All email addresses used by the sex offender;

29 ~~(Q) All user names, screen names, or instant message names~~  
30 ~~that are used by the sex offender to communicate in real time with another~~  
31 ~~person using the Internet;~~

32 ~~(R)(i)(Q)(i)~~ (i) Passport.

33 (ii) The local law enforcement agency having  
34 jurisdiction shall obtain a copy of any passport issued to the person by any  
35 country in the sex offender's name in person at an office of the law  
36 enforcement agency having jurisdiction at each registration verification and

1 submit the copy of any passport to the center;

2 ~~(S)(i)~~(R)(i) Immigration documentation.

3 (ii) The local law enforcement agency having  
 4 jurisdiction shall obtain a copy of any immigration documents issued to the  
 5 sex offender by any country in person at an office of the law enforcement  
 6 agency having jurisdiction at each registration verification and submit a  
 7 copy of the documents to the center; ~~and~~

8 ~~(T)(i)~~(S)(i) Professional licenses and permits.

9 (ii) The local law enforcement agency having  
 10 jurisdiction shall obtain a copy of any federal, state, or local professional  
 11 license or permit issued to the sex offender in person at an office of the  
 12 law enforcement agency having jurisdiction at each registration verification  
 13 and submit a copy of the documents to the center; ~~and~~

14 (T) All social media account information.

15 (4) If the sex offender is enrolled or employed at an  
 16 institution of higher education in this state, the sex offender shall also  
 17 report in person to the local law enforcement agency having jurisdiction:

18 (A) The name and address of each institution of higher  
 19 education where he or she is enrolled or employed, including each campus  
 20 attended;

21 (B) The county where each campus is located; and

22 (C) His or her enrollment or employment status.

23 (5) If the place of residence of the sex offender is a motor  
 24 vehicle, trailer, mobile home, modular home, or manufactured home, the sex  
 25 offender shall report in person the following information concerning the  
 26 motor vehicle, trailer, mobile home, modular home, or manufactured home:

27 (A) Vehicle identification number;

28 (B) License tag number;

29 (C) Registration number; and

30 (D) A description, including color scheme.

31 (6) If the place of residence of the sex offender is a vessel,  
 32 live-aboard vessel, or houseboat, the sex offender shall report in person the  
 33 following information concerning the vessel, live-aboard vessel, or  
 34 houseboat:

35 (A) Hull identification number;

36 (B) Manufacturer's serial number;

- 1 (C) Name;
- 2 (D) Registration number; and
- 3 (E) A description, including color scheme.

4 (7) If a person who is required to register as a sex offender  
 5 owns an aircraft, the person shall ~~provide~~ in person the following  
 6 information concerning the aircraft:

- 7 (A) The aircraft registration number;
- 8 (B) The manufacturer and model of the aircraft; and
- 9 (C) A description of the color scheme of the aircraft.

10 (h)(1) A sexually dangerous person subject to lifetime registration  
 11 under § 12-12-919 shall report in person every ninety (90) days after  
 12 registration to the local law enforcement agency having jurisdiction to  
 13 verify registration.

14 (2) The local law enforcement agency having jurisdiction may  
 15 determine the appropriate times and days for in person reporting by the  
 16 sexually dangerous person, and the determination shall be consistent with the  
 17 reporting requirements of subdivision (h)(1) of this section.

18 (3) Registration verification shall include reporting in person  
 19 any change to the following information concerning the sexually dangerous  
 20 person:

- 21 (A) Name;
- 22 (B) Social Security number;
- 23 (C) Age;
- 24 (D) Race;
- 25 (E) Gender;
- 26 (F) Date of birth;
- 27 (G) Height;
- 28 (H) Weight;
- 29 (I) Hair and eye color;

30 (J)(i) Address of any permanent residence and address of  
 31 any current temporary residence within this state or out of this state,  
 32 including a rural route address and a post office box.

33 (ii) A post office box shall not be provided in lieu  
 34 of a physical residential address;

- 35 (K) Date and place of any employment or volunteer work;
- 36 (L) Vehicle make, model, color, and license tag number

1 that the sexually dangerous person owns, operates, or to which he or she has  
2 access;

3 (M)(i) Fingerprints.

4 (ii) If the local law enforcement agency having  
5 jurisdiction cannot confirm that the sexually dangerous person's fingerprints  
6 are contained in the automated fingerprint identification system, the local  
7 law enforcement agency having jurisdiction shall:

8 (a) Take the sexually dangerous person's  
9 fingerprints in person at an office of the law enforcement agency; and

10 (b) Submit the fingerprints to the center and  
11 to the Department of Arkansas State Police.

12 (iii) If the local law enforcement agency having  
13 jurisdiction cannot confirm that the sexually dangerous person's palm prints  
14 are contained in the automated palm print identification system, the local  
15 law enforcement agency having jurisdiction shall:

16 (a) Take the sexually dangerous person's palm  
17 prints in person at an office of the law enforcement agency; and

18 (b) Submit the palm prints to the center and  
19 to the Department of Arkansas State Police;

20 (N)(i) Photograph.

21 (ii) The local law enforcement agency having  
22 jurisdiction shall take a photograph of the sexually dangerous person at each  
23 registration verification in person at an office of the law enforcement  
24 agency and submit the photograph to the center;

25 (O) All computers or other devices with Internet  
26 capability to which the sex offender has access;

27 (P) All email addresses used by the sex offender;

28 ~~(Q) All user names, screen names, or instant message names  
29 that are used by the sex offender to communicate in real time with another  
30 person using the Internet;~~

31 ~~(R)(i)(Q)(1)~~ Passport.

32 (ii) The local law enforcement agency having  
33 jurisdiction shall obtain a copy of any passport issued to the sexually  
34 dangerous person by any country in the sexually dangerous person's name in  
35 person at an office of the law enforcement agency at each registration  
36 verification and submit the copy of any passport to the center;

1                   ~~(S)-(i)~~(R)(i) Immigration documentation.

2                   (ii) The local law enforcement agency having  
3 jurisdiction shall obtain a copy of any immigration documents issued to the  
4 sexually dangerous person by any country in person at an office of the law  
5 enforcement agency at each registration verification and submit a copy of the  
6 documents to the center; ~~and~~

7                   ~~(T)-(i)~~(S)(i) Professional licenses and permits.

8                   (ii) The local law enforcement agency having  
9 jurisdiction shall obtain a copy of any federal, state, or local professional  
10 license or permit issued to the sexually dangerous person in person at an  
11 office of the law enforcement agency at each registration verification and  
12 submit a copy of the documents to the center; ~~and~~

13                   (T) All social media account information.

14                   (4) If the sexually dangerous person is enrolled or employed at  
15 an institution of higher education in this state, the sexually dangerous  
16 person shall also report in person to the local law enforcement agency having  
17 jurisdiction:

18                   (A) The name and address of each institution of higher  
19 education where he or she is enrolled or employed, including each campus  
20 attended;

21                   (B) The county where each campus is located; and

22                   (C) His or her enrollment or employment status.

23                   (5) If the place of residence of the sexually dangerous person  
24 is a motor vehicle, trailer, mobile home, modular home, or manufactured home,  
25 the sexually dangerous person shall report in person the following  
26 information concerning the motor vehicle, trailer, mobile home, modular home,  
27 or manufactured home:

28                   (A) Vehicle identification number;

29                   (B) License tag number;

30                   (C) Registration number; and

31                   (D) A description, including color scheme.

32                   (6) If the place of residence of the sexually dangerous person  
33 is a vessel, live-aboard vessel, or houseboat, the sexually dangerous person  
34 shall report in person the following information concerning the vessel, live-  
35 aboard vessel, or houseboat:

36                   (A) Hull identification number;

- 1 (B) Manufacturer's serial number;
- 2 (C) Name;
- 3 (D) Registration number; and
- 4 (E) A description, including color scheme.

5 (7) If a sexually dangerous person who is required to register  
 6 as a sexually dangerous person owns an aircraft, the sexually dangerous  
 7 person shall ~~provide~~ report in person the following information concerning  
 8 the aircraft:

- 9 (A) The aircraft registration number;
- 10 (B) The manufacturer and model of the aircraft; and
- 11 (C) A description of the color scheme of the aircraft.

12 (i) After verifying the registration of a sex offender under  
 13 subsection (g) of this section or a sexually dangerous person under  
 14 subsection (h) of this section, the local law enforcement agency having  
 15 jurisdiction shall file the verification with the center in accordance with §  
 16 12-12-909.

17  
 18 SECTION 4. Arkansas Code § 12-12-907(b)(1), concerning a sex offender  
 19 reporting after release from incarceration, is amended to read as follows:

20 (b)(1)(A) No later than ten (10) days after release from incarceration  
 21 or after the date of sentencing, a sex offender shall report in person to the  
 22 local law enforcement agency having jurisdiction and update the information  
 23 in the registration file.

24 (B) If the sex offender is not already registered, the  
 25 local law enforcement agency having jurisdiction shall register the sex  
 26 offender in accordance with this subchapter.

27  
 28 SECTION 5. Arkansas Code § 12-12-908(b)(20) through (22), concerning  
 29 the information contained in a sex offender's registration file, are amended  
 30 to read as follows:

31 (20) All email addresses used by the sex offender;

32 ~~(21) All user names, screen names, or instant message names that~~  
 33 ~~are used by the sex offender to communicate in real time with another person~~  
 34 ~~using the Internet; and~~

35 ~~(22)~~(21) Any other information that the center deems necessary,  
 36 including without limitation:

- 1 (A) Criminal and corrections records;
- 2 (B) Nonprivileged personnel records;
- 3 (C) Treatment and abuse registry records; and
- 4 (D) Evidentiary genetic markers; and
- 5 (22) All social media account information.

6  
 7 SECTION 6. Arkansas Code § 12-12-909 is amended to read as follows:  
 8 12-12-909. Verification form – Change of address.

9 (a)(1) A ~~person~~ sex offender required to register ~~as a sex offender~~  
 10 under this subchapter shall verify registration in person every six (6)  
 11 months after the ~~person's~~ sex offender's initial registration date during the  
 12 period of time in which the ~~person~~ sex offender is required to register.

13 (2)(A)(i) The verification shall be done in person at a local  
 14 law enforcement agency having jurisdiction at which time the ~~person~~ sex  
 15 offender shall sign and date a Sex Offender Acknowledgment Form ~~in which~~ and  
 16 a law enforcement officer shall also witness and sign the Sex Offender  
 17 Acknowledgment Form.

18 (ii) The Sex Offender Acknowledgment Form shall  
 19 state the date of verification as well as a date ~~certain~~ that the ~~person~~ sex  
 20 offender is required to return in person to a specific local law enforcement  
 21 agency having jurisdiction to verify his or her address.

22 (B) The Sex Offender Acknowledgement Form shall be uniform  
 23 and created by the Arkansas Crime Information Center.

24 (C) The local law enforcement agency having jurisdiction  
 25 shall file the verification of registration electronically with the center.

26 (3) If the ~~person~~ sex offender lives in a jurisdiction that does  
 27 not have a local law enforcement agency having jurisdiction that is able to  
 28 electronically file the verification, the verification shall be done by  
 29 certified mail in the following manner:

30 (A) The center shall mail a nonforwardable verification  
 31 form to the last reported address of the ~~person~~ sex offender by certified  
 32 mail;

33 (B)(i) The ~~person~~ sex offender shall return the  
 34 verification form in person to the local law enforcement agency having  
 35 jurisdiction within ten (10) days after receipt of the verification form.

36 (ii) Within three (3) days after receipt of the



1 verification form, the local law enforcement agency having jurisdiction shall  
2 forward the verification form to the center;

3 (C) The verification form shall be signed by the ~~person~~  
4 sex offender and state that the ~~person~~ sex offender still resides at the  
5 address last reported to the center; and

6 (D) If the ~~person~~ sex offender fails to return the  
7 verification form to the local law enforcement agency having jurisdiction in  
8 person within ten (10) days after receipt of the verification form, the  
9 ~~person~~ sex offender is in violation of this subchapter.

10 (4) If the ~~person~~ sex offender changes his or her address  
11 without notice or fails to return the verification form if he or she is  
12 allowed to do so by mail, notification shall be sent to law enforcement and  
13 supervising parole or probation authorities, and notice may be posted on the  
14 Internet until proper reporting is again established or the ~~person~~ sex  
15 offender is incarcerated.

16 (5) Subdivision (a)(1) of this section applies to a ~~person~~ sex  
17 offender required to register as a sexually dangerous person, except that the  
18 sexually dangerous person shall verify the registration in person every  
19 ninety (90) days after the date of the initial release or commencement of  
20 parole.

21 (6) Subdivision (a)(1) of this section applies to a ~~person~~ sex  
22 offender required to register ~~as a sex offender under this subchapter~~  
23 claims to be homeless except that ~~a person required to register as a sex~~  
24 offender claiming to be homeless shall verify the registration in person  
25 every thirty (30) days during the period of time in which the ~~person~~ sex  
26 offender is required to register ~~as a sex offender under this subchapter~~ and  
27 claims to be homeless.

28 (b)(1)(A) Before a change of address within the state, a sex offender  
29 shall report the change of address to the local law enforcement agency having  
30 jurisdiction in person no later than ten (10) days before the sex offender  
31 establishes residency or is temporarily domiciled at the new address.

32 (B) The sex offender shall report to the local law  
33 enforcement agency having jurisdiction of the new address in person within  
34 three (3) days after relocating to the new address.

35 (C) Upon receipt of a report of a change of address as  
36 described in subdivision (b)(1)(A) of this section, the local law enforcement

1 agency having jurisdiction shall report the change of address to the center.

2 (D) Other than a change of address as provided in  
3 subdivision (b)(1)(A) of this section, a sex offender shall report a change  
4 of any other information required to be reported at registration under § 12-  
5 12-908 or required to be reported at the time of verification under § 12-12-  
6 906 to the local law enforcement agency having jurisdiction in person within  
7 ten (10) days of the change.

8 (2) When a change of address within the state is reported to the  
9 center, the center shall immediately report the change of address to the  
10 local law enforcement agency having jurisdiction where the sex offender  
11 expects to reside.

12 (c)(1) Before a change of address to another state, a sex offender  
13 shall register the new address with the local law enforcement agency having  
14 jurisdiction in person and with a designated law enforcement agency in the  
15 state to which the sex offender moves in person not later than ten (10) days  
16 before the sex offender establishes residence or is temporarily domiciled in  
17 the new state if the new state has a registration requirement.

18 (2) When a change of address to another state is reported to the  
19 center, the center shall immediately notify the law enforcement agency with  
20 which the sex offender must register in the new state if the new state has a  
21 registration requirement.

22 (d) The center shall require a sex offender to report any change of  
23 information through the local law enforcement agency having jurisdiction.  
24

25 SECTION 7. Arkansas Code § 12-12-912 is amended to read as follows:  
26 12-12-912. Arrests for violations.

27 (a) In order for a sex offender to be charged with the commission of a  
28 violation of this subchapter so that an arrest warrant may be issued, the  
29 local law enforcement agency having jurisdiction shall notify the prosecutor  
30 when the local law enforcement agency having jurisdiction has reasonable  
31 grounds for believing that a sex offender is not registered, has not reported  
32 a change of address or change of any other information required to be  
33 provided by the sex offender, or has not verified the sex offender's address  
34 in violation of this subchapter.

35 (b) The address of a sex offender as listed in the sex offender's  
36 registration file shall determine which local law enforcement agency has

1 jurisdiction.

2 (c) A law enforcement officer shall arrest a sex offender when a  
 3 warrant has been issued for the sex offender's arrest, the law enforcement  
 4 officer has probable cause to believe that a sex offender has committed an  
 5 offense under this subchapter, or the law enforcement officer has reasonable  
 6 grounds for believing that a sex offender is not registered or has not  
 7 reported a change of address or change of any other information required to  
 8 be provided by the sex offender in violation of this subchapter.

9  
 10 SECTION 8. Arkansas Code § 12-12-913(j), concerning Community  
 11 Notification Assessment information that is disclosed to the public, is  
 12 amended to read as follows:

13 (j)(1)(A) The following information concerning a ~~registered~~ sex  
 14 offender registered under this subchapter who is classified as a Level 3 or  
 15 Level 4 offender by the Community Notification Assessment shall be made  
 16 public:

- 17 (i) The sex offender's complete name, as well as any  
 18 alias;
- 19 (ii) The sex offender's date of birth;
- 20 (iii) Any sex offense to which the sex offender has  
 21 pleaded guilty or nolo contendere or of which the sex offender has been found  
 22 guilty by a court of competent jurisdiction;
- 23 (iv) The street name and block number, county, city,  
 24 and zip code where the sex offender resides;
- 25 (v) The sex offender's race and gender;
- 26 (vi) The date of the last address verification of  
 27 the sex offender provided to the Arkansas Crime Information Center;
- 28 (vii) The most recent photograph of the sex offender  
 29 that has been submitted to the center;
- 30 (viii) The sex offender's parole or probation  
 31 office;
- 32 (ix) The street name and block number, county, city,  
 33 and zip code where the sex offender is employed;
- 34 (x) Any institution of higher education in which the  
 35 sex offender is enrolled; ~~and~~
- 36 (xi) The vehicle identification number and license

1 plate number of any vehicle the sex offender owns or operates; and

2 (xii) A physical description of the sex offender.

3 (B) If a ~~registered~~ sex offender registered under this  
4 subchapter was eighteen (18) years of age or older at the time of the  
5 commission of the sex offense that required registration under this  
6 subchapter and the victim of the sex offense was fourteen (14) years of age  
7 or younger and the ~~registered~~ sex offender is classified as a Level 2  
8 offender by the Community Notification Assessment, the following information  
9 concerning the registered sex offender shall be made public:

10 (i) The ~~registered~~ sex offender's complete name, as  
11 well as any alias;

12 (ii) The ~~registered~~ sex offender's date of birth;

13 (iii) Any sex offense to which the ~~registered~~ sex  
14 offender has pleaded guilty or nolo contendere or of which the ~~registered~~ sex  
15 offender has been found guilty by a court of competent jurisdiction;

16 (iv) The street name and block number, county, city,  
17 and zip code where the ~~registered~~ sex offender resides;

18 (v) The ~~registered~~ sex offender's race and gender;

19 (vi) The date of the last address verification of  
20 the ~~registered~~ sex offender provided to the center;

21 (vii) The most recent photograph of the ~~registered~~  
22 sex offender that has been submitted to the center;

23 (viii) The ~~registered~~ sex offender's parole or  
24 probation office;

25 (ix) The street name and block number, county, city,  
26 and zip code where the sex offender is employed;

27 (x) Any institution of higher education in which the  
28 sex offender is enrolled; ~~and~~

29 (xi) The vehicle identification number and license  
30 plate number of any vehicle the sex offender owns or operates; and

31 (xii) A physical description of the sex offender.

32 (C) The center shall prepare and place the information  
33 described in subdivisions (j)(1)(A) and (B) of this section on the Internet  
34 home page of the State of Arkansas.

35 (2) The center may promulgate any rules necessary to implement  
36 and administer this subsection.

1  
2 SECTION 9. Arkansas Code § 12-12-913(k), concerning the posting of a  
3 sex offender's fact sheet on the internet, is amended to read as follows:

4 (k) ~~Nothing in this subchapter shall~~ This subchapter shall not be  
5 interpreted to prohibit the posting on the Internet or by other appropriate  
6 means of offender fact sheets or the physical description of the sex offender  
7 for those sex offenders who are determined to be:

8 (1) High-risk or sexually dangerous persons, risk Level 3 and  
9 Level 4; or

10 (2) In noncompliance with the requirements of registration under  
11 rules and regulations promulgated by the Sex Offender Assessment Committee.  
12

13 SECTION 10. Arkansas Code § 12-12-925 is amended to read as follows:  
14 12-12-925. Travel outside of the United States.

15 (a) A ~~person~~ sex offender who is required to register ~~as a sex~~  
16 ~~offender~~ under this subchapter must report in person at least twenty-one (21)  
17 days before traveling outside of the United States to the local law  
18 enforcement agency having jurisdiction that he or she intends to travel  
19 outside of the United States.

20 (b) The ~~person~~ sex offender making the report in-person under this  
21 section must also report in person to the local law enforcement agency having  
22 jurisdiction:

23 (1) The dates of travel; and

24 (2) The foreign country, colony, territory, or possessions that  
25 the ~~person~~ sex offender will visit.

26 (c)(1) A local law enforcement agency having jurisdiction receiving a  
27 report under this section shall immediately report the information to the  
28 Arkansas Crime Information Center.

29 (2) Upon receiving information from a local law enforcement  
30 agency having jurisdiction under this section, the center shall immediately  
31 report the information to the National Sex Offender Public Website and to the  
32 United States Marshals Service.  
33  
34  
35  
36