

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

# A Bill

HOUSE BILL 1808

5 By: Representative Hammer  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF SEXUAL EXTORTION;  
9 INCLUDING THE OFFENSE OF SEXUAL EXTORTION IN LISTS OF  
10 DISQUALIFYING OFFENSES FOR CERTAIN EMPLOYMENT OR  
11 LICENSURE; TO INCLUDE SEXUAL EXTORTION AS AN OFFENSE  
12 FOR WHICH A PERSON IS REQUIRED TO REGISTER AS A SEX  
13 OFFENDER; AND FOR OTHER PURPOSES.  
14

## Subtitle

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16 TO CREATE THE OFFENSE OF SEXUAL  
17 EXTORTION; INCLUDING SEXUAL EXTORTION AS  
18 A DISQUALIFYING OFFENSE FOR CERTAIN  
19 EMPLOYMENT OR LICENSURE; AND TO INCLUDE  
20 SEXUAL EXTORTION AS AN OFFENSE REQUIRING  
21 REGISTRATION AS A SEX OFFENDER.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 5-14-101, concerning definitions for sexual  
28 offenses, is amended to add additional subdivisions to read as follows:

29 (12) "Recording" includes without limitation an image or video;

30 (13) "Sexually explicit conduct" means the same as defined in §  
31 5-27-302; and

32 (14) "State of nudity" means the same as defined in § 5-26-302.  
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34 SECTION 2. Arkansas Code Title 5, Chapter 14, Subchapter 1, is amended  
35 to add an additional section to read as follows:

36 5-14-113. Sexual extortion.



1           (a) A person commits the offense of sexual extortion if:

2                   (1) With the purpose to coerce another person to engage in  
 3 sexual contact or sexually explicit conduct, the person communicates a threat  
 4 to:

5                           (A) Damage the property or harm the reputation of the  
 6 other person; or

7                           (B) Produce or distribute a recording of the other person  
 8 engaged in sexually explicit conduct or depicted in a state of nudity;

9                   (2) With the purpose to produce or distribute a recording of a  
 10 person in a state of nudity or engaged in sexually explicit conduct, the  
 11 person communicates a threat to:

12                           (A) Damage the property or harm the reputation of the  
 13 other person; or

14                           (B) Produce or distribute a recording of the other person  
 15 engaged in sexually explicit conduct or depicted in a state of nudity; or

16                   (3) The person knowingly causes another person to engage in  
 17 sexual contact or sexually explicit conduct or to produce or distribute a  
 18 recording of a person in a state of nudity or engaged in sexually explicitly  
 19 conduct by communicating a threat to:

20                           (A) Damage the property or harm the reputation of the  
 21 other person; or

22                           (B) Produce or distribute a recording of the other person  
 23 engaged in sexually explicit conduct or depicted in a state of nudity.

24           (b) Sexual extortion is a Class B felony.

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 26           SECTION 3. Arkansas Code § 6-17-410(c), concerning offenses for which  
 27 a person is disqualified from being eligible to receive or hold a license as  
 28 teacher at an elementary or secondary educational entity, is amended to add  
 29 an additional subdivision to read as follows:

30                   (45) Sexual extortion, § 5-14-113.

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 32           SECTION 4. Arkansas Code § 6-17-414(b), concerning offenses for which  
 33 a person is disqualified from employment as nonlicensed staff at an  
 34 educational entity, is amended to add an additional subdivision to read as  
 35 follows:

36                   (45) Sexual extortion, § 5-14-113.

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2 SECTION 5. Arkansas Code § 9-28-409(e)(3), concerning offenses for  
3 which a person is required to have a criminal records check in order to be  
4 eligible to have direct and unsupervised contact with a child in the care of  
5 a child welfare agency, is amended to add an additional subdivision to read  
6 as follows:

7 (L)(L)(L) Sexual extortion, § 5-14-113.

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9 SECTION 6. Arkansas Code § 12-12-104(f)(2), concerning a list of sex  
10 offenses used in crime reporting and investigations, is amended to add an  
11 additional subdivision to read as follows:

12 (R) Sexual extortion, § 5-14-113.

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14 SECTION 7. Arkansas Code § 12-12-903(13)(A)(i), concerning the list of  
15 sexual offenses for which a person is required to register as a sex offender,  
16 is amended to add an additional subdivision to read as follows:

17 (ee) Sexual extortion, § 5-14-113.

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19 SECTION 8. Arkansas Code § 16-90-1101(6), concerning a list of sex  
20 offenses used regarding the rights of a victim of a crime, is amended to add  
21 an additional subdivision to read as follows:

22 (S) Sexual extortion, § 5-14-113.

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24 SECTION 9. Arkansas Code § 17-17-312(f), concerning offenses for which  
25 a person is disqualified from being eligible to receive or hold a license as  
26 an auctioneer, is amended to add an additional subdivision to read as  
27 follows:

28 (32) Sexual extortion, § 5-14-113.

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30 SECTION 10. Arkansas Code § 17-27-313(e), concerning offenses for  
31 which a person is disqualified from being eligible to receive or hold a  
32 license as a counselor, is amended to add an additional subdivision to read  
33 as follows:

34 (34) Sexual extortion, § 5-14-113.

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36 SECTION 11. Arkansas Code § 17-87-312(e), concerning offenses for

1 which a person is disqualified from being eligible to receive or hold a  
2 license as a nurse, is amended to add an additional subdivision to read as  
3 follows:

4 (34) Sexual extortion, § 5-14-113.

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6 SECTION 12. Arkansas Code § 17-87-312(1)(2), concerning offenses for  
7 which a person is permanently disqualified from being eligible to receive or  
8 hold a license as a nurse, is amended to add an additional subdivision to  
9 read as follows:

10 (K) Sexual extortion, § 5-14-113.

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12 SECTION 13. Arkansas Code § 17-97-312(f), concerning offenses for  
13 which a person is disqualified from being eligible to receive or hold a  
14 license as a psychologist or psychological examiner, is amended to add an  
15 additional subdivision to read as follows:

16 (34) Sexual extortion, § 5-14-113.

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18 SECTION 14. Arkansas Code § 17-97-312(m)(2), concerning offenses for  
19 which a person is permanently disqualified from being eligible to receive or  
20 hold a license as a psychologist or psychological examiner, is amended to add  
21 an additional subdivision to read as follows:

22 (K) Sexual extortion, § 5-14-113.

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24 SECTION 15. Arkansas Code § 17-103-307(e), concerning offenses for  
25 which a person is disqualified from being eligible to receive or hold a  
26 license as a social worker, is amended to add an additional subdivision to  
27 read as follows:

28 (34) Sexual extortion, § 5-14-113.

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30 SECTION 16. Arkansas Code § 17-103-307(k)(2), concerning offenses for  
31 which a person is permanently disqualified from being eligible to receive or  
32 hold a license as a social worker, is amended to add an additional  
33 subdivision to read as follows:

34 (K) Sexual extortion, § 5-14-113.

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36 SECTION 17. Arkansas Code § 20-13-1106(b), concerning offenses for

1 which a person is disqualified from certification or recertification as  
2 emergency medical services personnel, is amended to add an additional  
3 subdivision to read as follows:

4 (35) Sexual extortion, § 5-14-113.

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6 SECTION 18. Arkansas Code § 20-13-1106(e)(2), concerning offenses for  
7 which a person is permanently disqualified from certification or  
8 recertification as emergency medical services personnel, is amended to add an  
9 additional subdivision to read as follows:

10 (K) Sexual extortion, § 5-14-113.

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12 SECTION 19. Arkansas Code § 20-38-105(b), concerning offenses for  
13 which a person is disqualified from employment, is amended to add an  
14 additional subdivision to read as follows:

15 (60) Sexual extortion, § 5-14-113.

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17 SECTION 20. Arkansas Code § 20-38-105(c)(2)(A), concerning offenses  
18 for which a person is permanently disqualified from employment, is amended to  
19 add an additional subdivision to read as follows:

20 (xi) Sexual extortion, § 5-14-113.

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22 SECTION 21. Arkansas Code § 21-15-102(f), concerning offenses for  
23 which a person is disqualified from employment with a state agency, is  
24 amended to add an additional subdivision to read as follows:

25 (35) Sexual extortion, § 5-14-113.

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27 SECTION 22. Arkansas Code § 21-15-102(g)(2), concerning offenses for  
28 which a person is permanently disqualified from employment with a state  
29 agency, is amended to add an additional subdivision to read as follows:

30 (K) Sexual extortion, § 5-14-113.

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32 SECTION 23. Arkansas Code § 21-15-103(g), concerning offenses for  
33 which a state agency shall discharge a person from employment, is amended to  
34 add an additional subdivision to read as follows:

35 (34) Sexual extortion, § 5-14-113.

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1 SECTION 24. Arkansas Code § 21-15-103(h)(2), concerning offenses for  
2 which a person is permanently disqualified from employment by a state agency,  
3 is amended to add an additional subdivision to read as follows:

4 (K) Sexual extortion, § 5-14-113.

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6 SECTION 25. Arkansas Code § 21-15-104(c), concerning offenses a state  
7 agency may not waive regarding the exclusion or discharge requirement of a  
8 person in a designated position, is amended to add an additional subdivision  
9 to read as follows:

10 (20) Sexual extortion, § 5-14-113.

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