

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/10/21

A Bill

HOUSE BILL 1625

5 By: Representative Haak
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT PROHIBITING A SEX OFFENDER FROM RESIDING NEAR
10 A PUBLICLY OWNED PARK OR TRAIL LOCATED ON AN EASEMENT
11 ON PRIVATE LAND; AND FOR OTHER PURPOSES.
12
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Subtitle

15 PROHIBITING A SEX OFFENDER FROM RESIDING
16 NEAR A PUBLICLY OWNED PARK OR TRAIL
17 LOCATED ON AN EASEMENT ON PRIVATE LAND.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 5-14-128(c), concerning a sex offender who
23 resides near certain places, is amended to read as follows:

24 (c)(1)(A) With respect to a public or private elementary or secondary
25 school or a daycare facility, it is not a violation of this section if the
26 sex offender resides on property he or she owns prior to July 16, 2003.

27 (B) With respect to a public park or youth center, it is
28 not a violation of this section if the sex offender resides on property he or
29 she owns prior to July 31, 2007.

30 (C) With respect to privately owned land for which an
31 easement has been granted to the state or a county, city, or town and that is
32 used as part of the public park system of the state or a county, city, or
33 town, it is not a violation of this section if the sex offender resides on
34 property he or she owns prior to the effective date of this act.

35 (2)(A) The exclusion in subdivision (c)(1)(A) of this section
36 does not apply to a sex offender who pleads guilty or nolo contendere to or



1 is found guilty of another sex offense after July 16, 2003.

2 (B) The exclusion in subdivision (c)(1)(B) of this section
3 does not apply to a sex offender who pleads guilty or nolo contendere to or
4 is found guilty of another sex offense on or after July 31, 2007.

5 (C) The exclusion in subdivision (c)(1)(C) of this section
6 does not apply to a sex offender who pleads guilty or nolo contendere to or
7 is found guilty of another sex offense on or after the effective date of this
8 act.

9 (3) With respect to a church or other place of worship, it is
10 not a violation of this section if the sex offender resides on property he or
11 she owns prior to July 22, 2015.

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13 SECTION 2. Arkansas Code § 5-14-128(f), concerning definitions used in
14 regard to locations where certain sex offenders may not reside within a
15 certain distance, is amended to read as follows:

16 (f) As used in this section:

17 (1) "Church or other place of worship" means a physical location
18 that has a primary purpose of facilitating the meeting of persons in order to
19 practice a religion;

20 (2)(A) "Public park" means any property owned or maintained by
21 this state or a county, city, or town in this state for the recreational use
22 of the public.

23 (B) "Public park" includes the portion of any privately
24 owned land over which an easement has been granted to the state or a county,
25 city, or town and that is used as part of the public park system of the state
26 or a county, city, or town; and

27 (3) "Youth center" means any building, structure, or facility
28 owned or operated by a not-for-profit organization or by this state or a
29 county, city, or town in this state for use by minors to promote the health,
30 safety, or general welfare of the minors.

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32 /s/Haak
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