

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

A Bill

HOUSE BILL 1652

5 By: Representatives McCullough, Gazaway
6

For An Act To Be Entitled

8 AN ACT CONCERNING A PROHIBITION FROM A PERSON
9 REQUIRED TO REGISTER AS A SEX OFFENDER FROM RESIDING
10 WITH A MINOR; AND FOR OTHER PURPOSES.
11

Subtitle

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13 CONCERNING A PROHIBITION FROM A PERSON
14 REQUIRED TO REGISTER AS A SEX OFFENDER
15 FROM RESIDING WITH A MINOR.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 12-12-906(a)(1)(A), concerning registration
22 requirements for a person required to register as a sex offender, is amended
23 to read as follows:

24 (a)(1)(A)(i) At the time of adjudication of guilt, the sentencing
25 court shall enter on the judgment and commitment or judgment and disposition
26 form that the offender is required to register as a sex offender and is
27 prohibited from residing in a residence with a minor unless the sentencing
28 court makes a specific finding based on the assessment required under § 12-
29 12-917 that the sex offender poses no danger to any minor residing in the
30 residence.

31 (ii) The sentencing court shall also indicate
32 whether the:

- 33 (a) Offense is an aggravated sex offense;
- 34 (b) Sex offender has been adjudicated guilty
- 35 of a prior sex offense under a separate case number; or
- 36 (c) Sex offender has been classified as a



1 sexually dangerous person.

2 ~~(ii)~~(iii) If the sentencing court finds the offender
 3 is required to register as a sex offender, then at the time of adjudication
 4 of guilt the sentencing court shall require the sex offender to complete the
 5 sex offender registration form prepared by the Director of the Arkansas Crime
 6 Information Center pursuant to § 12-12-908 and shall forward the completed
 7 sex offender registration form to the Arkansas Crime Information Center.

8 ~~(iii)~~(iv) A sex offender is not required to register
 9 as a sex offender under this subchapter if the:

10 (a) Victim was under eighteen (18) years of
 11 age and the sex offender was no more than three (3) years older than the
 12 victim at the time of the sex offense;

13 (b) Court determines that there was no
 14 evidence of force, compulsion, threat, or intimidation in the commission of
 15 the sex offense; and

16 (c) Court does not otherwise order
 17 registration under § 12-12-903(13)(B)(i).

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