

1 State of Arkansas As Engrossed: H1/25/21 H2/3/21 H2/22/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1098

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5 By: Representatives Wooten, Evans

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## For An Act To Be Entitled

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AN ACT TO RESTRICT THE CIRCUMSTANCES UNDER WHICH A

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SEX OFFENDER MAY BE PERMITTED ON OR NEAR THE PREMISES

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OF A CHILDCARE FACILITY; TO REQUIRE NOTICE TO CERTAIN

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PERSONS WHEN A SEX OFFENDER IS ON THE PREMISES OF A

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CHILDCARE FACILITY; AND FOR OTHER PURPOSES.

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## Subtitle

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TO RESTRICT THE CIRCUMSTANCES UNDER WHICH

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A SEX OFFENDER MAY BE PERMITTED ON OR

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NEAR THE PREMISES OF A CHILDCARE

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FACILITY; AND TO REQUIRE NOTICE TO

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CERTAIN PERSONS WHEN A SEX OFFENDER IS ON

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THE PREMISES OF A CHILDCARE FACILITY.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Title 20, Chapter 78, Subchapter 2, is

27 amended to add an additional section to read as follows:

28 20-78-229. Notice concerning registered sex offenders.

29 If an owner, operator, service provider, or director of a childcare

30 facility or an employee of a childcare facility has an immediate family

31 member who is a Level 2, Level 3, or Level 4 sex offender, the owner,

32 operator, service provider, or director of the childcare facility shall

33 provide notification in writing or by electronic mail to the parent, legal

34 guardian, person having lawful control, or person standing in loco parentis

35 of a child who attends the childcare facility that:

36 (1) The owner, operator, service provider, director, or employee



1 has an immediate family member who is a Level 2, Level 3, or Level 4 sex  
2 offender; and

3 (2) The immediate family member who is a Level 2, Level 3, or  
4 Level 4 sex offender will not be present on the premises of the childcare  
5 facility while children are present.

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/s/Wooten

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