## Stricken language would be deleted from and underlined language would be added to present law. Act 1022 of the Regular Session

1	State of Arkansas As Engrossed \$4/4/19	
2	92nd General Assembly A Bill	
3	Regular Session, 2019 HOUSE BILL 178	9
4		
5	By: Representatives Penzo, Christiansen, Coleman, C. Cooper, Della Rosa, Hollowell, Lundstrum,	
6	Pilkington, Rye, B. Smith	
7	By: Senators B. Ballinger, L. Eads	
8		
9	For An Act To Be Entitled	
10	AN ACT TO AMEND THE LAW CONCERNING THE OFFENSE OF	
11	TRAFFICKING; TO CREATE AN OFFENSE FOR THE UNLAWFUL	
12	SOLICITATION FOR THE RELINQUISHMENT OF PARENTAL	
13	RIGHTS; AND FOR OTHER PURPOSES.	
14		
15	C., L441.	
16	Subtitle  TO AMEND THE LAW CONCERNANCE THE OFFICER	
17	TO AMEND THE LAW CONCERNING THE OFFENSE	
18	OF TRAFFICKING; AND TO CREATE AN OFFENSE	
19	FOR THE UNLAWFUL SOLICITATION FOR THE	
20	RELINQUISHMENT OF PARENTAL RIGHTS.	
21 22		
23	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
24	DE II ENACIED DI THE GENERAL ASSEMBLI OF THE STATE OF ARRANGAS.	
25	SECTION 1. Arkansas Code § 5-18-103(a), concerning the elements for	
26	the offense of trafficking of persons, is amended to read as follows:	
27	(a) A person commits the offense of trafficking of persons if he or	
28	she knowingly:	
29	(1) Recruits, harbors, transports, obtains, entices, solicits,	
30	isolates, provides, or maintains a person knowing that the person will be	
31	subjected to involuntary servitude;	
32	(2) Benefits financially or benefits by receiving anything of	
33	value from participation in a venture under subdivision (a)(1) of this	
34	section;	
35	(3) Subjects a person to involuntary servitude;	
36	(4) Recruits, entices, solicits, isolates, harbors, transports,	

1	provides, maintains, or obtains a minor for commercial sexual activity; or
2	(5) Sells or offers to sell travel services that he or she knows
3	$\frac{includes}{include}$ an activity prohibited under subdivisions (a)(1)-(4) of this
4	section;
5	(6) Recruits, entices, solicits, isolates, harbors, transports,
6	provides, maintains, or obtains a pregnant woman for the purpose of causing
7	the pregnant woman by the use of or threatened use of physical force to place
8	the baby who is not yet born for adoption; or
9	(7) Benefits financially or benefits by receiving anything of
10	value from participating in an act described under subdivision (a)(6) of this
11	section.
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13	SECTION 2. Arkansas Code Title 5, Chapter 26, Subchapter 2, is amended
14	to add an additional section to read as follows:
15	5-26-204. Unlawful solicitation for the relinquishment of parental
16	rights.
17	(a)(1) A person commits the offense of unlawful solicitation for the
18	relinquishment of parental rights in the first degree if in exchange for
19	consenting to the person or another person placing a baby who is not yet born
20	for adoption the person offers anything of value prohibited or not permitted
21	<u>under § 9-9-206 to the:</u>
22	(A) Biological mother of the baby who is not yet born;
23	(B) Biological or putative father of the baby who is not
24	<pre>yet born;</pre>
25	(C) Spouse, partner, or other relative of the biological
26	mother of the baby who is not yet born; or
27	(D) Spouse, partner, or other relative of the biological
28	or putative father of the baby who is not yet born.
29	(2) Unlawful solicitation for the relinquishment of parental
30	rights in the first degree is a:
31	(A) Class A felony if the person uses duress, coercion,
32	undue influence, intimidation, a threat, fraud, or physical force to
33	influence an individual listed in subdivisions (a)(1)(A)-(D) of this section
34	to allow the person or another person to place the baby who is not yet born
35	for adoption; or
36	(B) Class C felony if otherwise committed.

1	(b)(1) A person commits the offense of unlawful solicitation for the
2	relinquishment of parental rights in the second degree if in exchange for
3	consenting to the person adopting a baby who is not yet born the person
4	offers anything of value prohibited or not permitted under § 9-9-206 to the:
5	(A) Biological mother of the baby who is not yet born;
6	(B) Biological or putative father of the baby who is not
7	<pre>yet born;</pre>
8	(C) Spouse, partner, or other relative of the biological
9	mother of the baby who is not yet born; or
10	(D) Spouse, partner, or other relative of the biological
11	or putative father of the baby who is not yet born.
12	(2) Unlawful solicitation for the relinquishment of parental
13	rights in the second degree is a:
14	(A) Class D felony if the person uses duress, coercion,
15	undue influence, intimidation, a threat, fraud, or physical force to
16	influence an individual listed in subdivisions (b)(1)(A)-(D) of this section
17	to consent to the person or another person adopting the baby who is not yet
18	born; or
19	(B) Class A misdemeanor if otherwise committed.
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22	/s/Penzo
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25	APPROVED: 4/15/19
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