

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 385

5 By: Senator C. Penzo  
6 By: Representative Unger  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ISSUES RELATED TO  
10 CHILD SEX TRAFFICKING AND CHILD EXPLOITATION; TO  
11 EXCEPT CERTAIN PERSONS ENGAGED IN BONA FIDE  
12 INVESTIGATIONS INTO A CRIMINAL OFFENSE FROM THE LAW  
13 CONCERNING THE DISTRIBUTION, POSSESSION, OR VIEWING  
14 OF MATTER DEPICTING SEXUALLY EXPLICIT CONDUCT  
15 INVOLVING A CHILD; TO CREATE MULTIDISCIPLINARY TEAMS  
16 TO PROVIDE RESPONSES SPECIFIC TO CHILD SEX  
17 TRAFFICKING AND CHILD EXPLOITATION CASES; AND FOR  
18 OTHER PURPOSES.  
19  
20

## Subtitle

21 TO AMEND THE LAW CONCERNING ISSUES  
22 RELATED TO CHILD SEX TRAFFICKING AND  
23 CHILD EXPLOITATION.  
24  
25  
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. Arkansas Code § 5-27-602, concerning the offense of  
30 distributing, possessing, or viewing matter depicting sexually explicit  
31 conduct involving a child, is amended to add an additional subsection to read  
32 as follows:

33 (d) This section does not apply to matter depicting sexually explicit  
34 conduct with a child that is possessed by the following individuals in the  
35 course of conducting their professional duties for a bona fide medical,  
36 scientific, governmental, law enforcement, or judicial purpose:



- 1           (1) A physician;
- 2           (2) A psychologist;
- 3           (3) A scientist;
- 4           (4) An attorney;
- 5           (5) An employee of the Department of Human Services;
- 6           (6) An employee of a law enforcement agency;
- 7           (7) A judge;
- 8           (8) A judicial clerk; or
- 9           (9) A member of a multidisciplinary team created under § 12-19-
- 10 106.

11

12           SECTION 2. Arkansas Code Title 12, Chapter 19, Subchapter 1, is

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

14           12-19-106. Child sex trafficking and child exploitation –

15 Multidisciplinary teams – Creation.

16           (a) The Prosecutor Coordinator shall work with the following to

17 develop recommendations on the creation of multidisciplinary teams to provide

18 responses specific to child sex trafficking and child exploitation cases:

- 19           (1) The Identification Bureau of the Division of Arkansas State
- 20 Police;
- 21           (2) The Arkansas Sheriffs’ Association;
- 22           (3) The Arkansas Association of Chiefs of Police;
- 23           (4) The Children’s Advocacy Centers of Arkansas; and
- 24           (5) The National Child Protection Task Force, Inc.

25           (b)(1) The Prosecutor Coordinator shall create the multidisciplinary

26 teams recommended under subsection (a) of this section.

27           (2) The multidisciplinary teams created under this section

28 shall:

- 29           (A) Enhance the services provided to victims of child sex
- 30 trafficking and child exploitation;
- 31           (B) Improve the coordination of investigations and the
- 32 tracking of child sex trafficking and child exploitation cases; and
- 33           (C) Identify gaps in:
  - 34           (i) Services provided to victims of child sex
  - 35 trafficking and child exploitation; and
  - 36           (ii) The prevention of child sex trafficking and

1 child exploitation.

2 (c) The entities involved in the creation of multidisciplinary teams  
3 under this section may consult with other public and private groups,  
4 organizations, and agencies that have knowledge of the child sex trafficking  
5 and child exploitation victim populations and are willing to assist in  
6 accomplishing the goals identified in this section.

7  
8 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. Multidisciplinary team  
9 recommendations – Reporting requirements.

10 The Prosecutor Coordinator shall report the recommendations developed  
11 for multidisciplinary teams to provide responses specific to child sex  
12 trafficking and child exploitation cases under § 12-19-106 to the Chair of  
13 the House Committee on Judiciary and the Chair of the Senate Committee on  
14 Judiciary by December 31, 2023.