

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

As Engrossed: S3/23/21

# A Bill

SENATE BILL 561

5 By: Senator A. Clark  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE REMOVAL OF AN  
9 OFFENDER'S NAME FROM THE CHILD MALTREATMENT CENTRAL  
10 REGISTRY; AND FOR OTHER PURPOSES.  
11

### Subtitle

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14 TO AMEND THE LAW CONCERNING THE REMOVAL  
15 OF AN OFFENDER'S NAME FROM THE CHILD  
16 MALTREATMENT CENTRAL REGISTRY.  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 12-18-908(a), concerning the removal of a  
22 name from the Child Maltreatment Central Registry, is amended to read as  
23 follows:

24 ~~(a) If an adult offender is found guilty of, pleads guilty to, or~~  
25 ~~pleads nolo contendere to an act that is the same act for which the offender~~  
26 ~~is named in the Child Maltreatment Central Registry regardless of any~~  
27 ~~subsequent expungement of the offense from the offender's criminal record,~~  
28 ~~the offender shall always remain in the registry unless the conviction is~~  
29 ~~reversed or vacated.~~ An adult offender shall permanently remain on the Child  
30 Maltreatment Central Registry if the:

31 (1) Adult offender is convicted of a criminal offense for an act  
32 or omission that constitutes child maltreatment and for which the adult  
33 offender is named in the Child Maltreatment Central Registry regardless of  
34 any subsequent expungement of the criminal offense from the adult offender's  
35 criminal record;

36 (2) Adult offender's conviction for the criminal offense



1 described under subdivision (a)(1) of this section has not been reversed or  
2 vacated; and

3 (3) Adult offender's name is placed in the registry for severe  
4 maltreatment.

5  
6 SECTION 2. Arkansas Code § 12-18-908(d)(1), concerning the removal of  
7 a name from the Child Maltreatment Central Registry, is amended to read as  
8 follows:

9 (1) Not remove the offender's name from the registry if ~~the~~  
10 ~~offender was found guilty of, pleaded guilty to, or pleaded nolo contendere~~  
11 ~~to a felony in circuit court as an adult for the act that is the same act for~~  
12 ~~which the offender is named in the registry unless the conviction is reversed~~  
13 ~~or vacated; or:~~

14 (A) The offender is convicted of a felony as an adult for  
15 an act or omission that is the same act or omission for which the offender is  
16 named in the registry regardless of any subsequent expungement of the felony  
17 from the offender's criminal record;

18 (B) The offender's conviction for the felony described  
19 under subdivision (d)(1)(A) of this section has not been reversed or vacated;  
20 and

21 (C) The offender's name is placed in the registry for  
22 severe maltreatment; or

23  
24 /s/A. Clark

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27 APPROVED: 4/25/21