

1 State of ArkansasAs *Engrossed: H1/25/21 H2/3/21 H2/22/21 H3/4/21 S4/8/21*

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

HOUSE BILL 1098

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5 By: Representatives Wooten, Evans

6 By: *Senator K. Hammer*

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## For An Act To Be Entitled

9 AN ACT TO REQUIRE NOTICE TO CERTAIN PERSONS WHEN A  
10 SEX OFFENDER IS ON THE PREMISES OF A CHILDCARE  
11 FACILITY; CONCERNING THE PRESENCE OF A SEX OFFENDER  
12 ON THE PREMISES OF A CHILDCARE FACILITY; AND FOR  
13 OTHER PURPOSES.

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## Subtitle

17 TO REQUIRE NOTICE TO CERTAIN PERSONS WHEN  
18 A SEX OFFENDER IS ON THE PREMISES OF A  
19 CHILDCARE FACILITY; AND CONCERNING THE  
20 PRESENCE OF A SEX OFFENDER ON THE  
21 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 12, Chapter 12, Subchapter 9, is  
27 amended to add an additional section to read as follows:

28 12-12-930. Notice requirement when owner, operator, lessee, or  
29 administrator of childcare facility is married to sex offender.

30 (a) As used in this section, "sex offender" means a:

31 (1) Level 2 sex offender whose information is made public under  
32 § 12-12-913(j)(1)(B);

33 (2) Level 3 sex offender; or

34 (3) Level 4 sex offender.

35 (b) If an owner, operator, lessee, or administrator of a childcare  
36 facility is married to a sex offender, the owner, operator, lessee, or



1 administrator shall provide notification in writing or by email to the  
2 parent, legal guardian, person having lawful control, or person standing in  
3 loco parentis of a child who attends the childcare facility that:

4 (1) The owner, operator, lessee, or administrator is married to  
5 a sex offender; and

6 (2) The sex offender will not be present on the premises of the  
7 childcare facility while children are present.

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9 /s/Wooten

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12 **APPROVED: 4/21/21**  
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