

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/25/15
A Bill

SENATE BILL 867

By: Senator E. Williams
By: Representative Bennett

For An Act To Be Entitled

AN ACT TO CREATE AN ADDITIONAL FINE FOR A CRIMINAL OFFENSE IN WHICH A CHILD WAS THE VICTIM OR THAT WAS COMMITTED IN THE PRESENCE OF A CHILD; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE AN ADDITIONAL FINE FOR A CRIMINAL OFFENSE IN WHICH A CHILD WAS THE VICTIM OR THAT WAS COMMITTED IN THE PRESENCE OF A CHILD.

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

SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended to add an additional section to read as follows:

5-4-703. Additional fine - Offense committed against a child or in the presence of a child.

(a) In addition to any other sentence, the court shall assess an additional fine of twenty-five dollars (\$25.00) for the following offenses if the finder of fact determines that the offense was committed against a child or in the presence of a child:

(1) A felony involving violence as defined in § 5-4-501(d)(2);

(2) Manslaughter, § 5-10-104, or negligent homicide, § 5-10-105;

(3) False imprisonment in the first degree, § 5-11-103, or false imprisonment in the second degree, § 5-11-104;

(4) Battery in the second degree, § 5-13-202, or battery in the



third degree, § 5-13-203;

(5) Aggravated assault, § 5-13-204, assault in the first degree, § 5-13-205, assault in the second degree, § 5-13-206, assault in the third degree, § 5-13-207, or coercion, § 5-13-208;

(6) Introduction of controlled substance into body of another person, § 5-13-210;

(7) Terroristic threatening, § 5-13-301, or terroristic act, § 5-13-310;

(8) Sexual indecency with a child, § 5-14-110, indecent exposure, § 5-14-112, sexual assault in the third degree, § 5-14-126, or sexual assault in the fourth degree, § 5-14-127;

(9) Trafficking of persons, § 5-18-103, or patronizing a victim of human trafficking, § 5-18-104;

(10) Domestic battering in the second degree, § 5-26-304, domestic battering in the third degree, § 5-26-305, aggravated assault on a family or household member, § 5-26-306, first degree assault on a family or household member, § 5-26-307, second degree assault on a family or household member, § 5-26-308, or third degree assault on a family or household member, § 5-26-309;

(11) Endangering the welfare of a minor in the first degree, § 5-27-205, endangering the welfare of a minor in the second degree, § 5-27-206, or endangering the welfare of a minor in the third degree, § 5-27-207;

(12) Engaging in sexually explicit conduct for use in visual or print medium, § 5-27-303, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, § 5-27-304, transportation of minors for prohibited sexual conduct, § 5-27-305, Internet stalking of a child, § 5-27-306, or sexually grooming a child, § 5-27-307;

(13) Employing or consenting to the use of a child in a sexual performance, § 5-27-402, or producing, directing, or promoting a sexual performance by a child, § 5-27-403;

(14) Distributing, possessing, or viewing of matter depicting sexually explicit conduct involving a child, § 5-27-602, computer child pornography, § 5-27-603, failure to report child pornography, § 5-27-604, or computer exploitation of a child, § 5-27-605;

(15) A controlled substance offense in which an enhanced penalty under § 5-64-406 or § 5-64-407 is applied;

(16) Aggravated cruelty to a dog, cat, or horse, § 5-62-104; or

(17) Driving or boating while intoxicated, § 5-65-103.

(b)(1) A fine assessed and collected under this section shall be remitted on or before the fifteenth day of the following month to the Arkansas Children's Advocacy Center Fund.

(2) A form identifying the amount of fines assessed under this section shall be transmitted with the collected fines.

/s/E. Williams

APPROVED: 04/07/2015