

Stricken language would be deleted from and underlined language would be added to present law.  
Act 798 of the Regular Session

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/1/21  
**A Bill**

HOUSE BILL 1741

By: Representatives Lundstrum, Speaks, Rye, Cloud, Bentley, McGrew, Hollowell, M. Berry, Milligan, Crawford, Bryant, Haak, *Brooks, Brown, Christiansen, C. Cooper, Richmond, Scott, B. Smith, Wing, Wooten*

By: Senator A. Clark

### For An Act To Be Entitled

AN ACT CONCERNING CONDITIONS OF RELEASE ON BAIL FOR  
PERSONS ARRESTED FOR HUMAN TRAFFICKING-RELATED  
OFFENSES; AND FOR OTHER PURPOSES.

### Subtitle

CONCERNING CONDITIONS OF RELEASE ON BAIL  
FOR PERSONS ARRESTED FOR HUMAN  
TRAFFICKING-RELATED OFFENSES.

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

SECTION 1. Arkansas Code Title 16, Chapter 84, Subchapter 1, is amended to add an additional section to read as follows:

16-84-117. Conditions for release on bail for persons accused of human trafficking and related offenses.

(a) As used in this section, "offense that involves the taking of a minor or holding a minor without consent" does not mean an offense under § 5-26-501 et seq.

(b) Unless waived by the court under subsection (c) of this section, a person arrested for a violation of trafficking of persons, § 5-18-103, kidnapping, § 5-11-102, or false imprisonment in the first degree, § 5-11-103, or an offense that involves the taking of a minor or holding a minor without consent, shall not be granted bail before the person agrees to the following conditions imposed by the arraigning court:



- (1) An ankle monitor or GPS-enabled tracking device;
- (2) Restricted movement limited to the person's residence, except in the case of a medical emergency;
- (3) A restriction on internet access and access to electronic media;
- (4) An agreement by the defendant to:
  - (A) A no contact order prohibiting direct or indirect contact with the victim or victims of the charged offense;
  - (B) Relinquish all firearms to a third party until the expiration of the no contact order; and
  - (C) Refrain from using an illegal controlled substance;
- (5) A cash bond or a secured bond requiring the defendant to put up at least fifty percent (50%) of the principal bond amount, at the discretion of the court;
- (6) Maintaining regular reporting requirements, at the discretion of the court; and
- (7) Obeying a curfew, at the court's discretion;
- (c) The court may waive a condition under subsection (b) of this section upon a showing that the waiver would not result in an increased risk to the community or an increased risk of flight by the defendant.
- (d) Absent a waiver by the court under subsection (c) of this section, a person who refuses or fails to agree to or adhere to a condition listed under subsection (b) of this section shall not be allowed release on bail until the conclusion of his or her case.

*/s/Lundstrum*

**APPROVED: 4/20/21**