

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S3/23/21

A Bill

SENATE BILL 561

By: Senator A. Clark

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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



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

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

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

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

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

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

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

/s/A. Clark

APPROVED: 4/25/21