

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1125

By: Representative Evans
By: Senator Hill

For An Act To Be Entitled

AN ACT TO PROHIBIT A REGISTERED SEX OFFENDER FROM PURCHASING, OWNING, POSSESSING, USING, OR OPERATING AN UNMANNED AIRCRAFT FOR PRIVATE USE; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT A REGISTERED SEX OFFENDER FROM PURCHASING, OWNING, POSSESSING, USING, OR OPERATING AN UNMANNED AIRCRAFT FOR PRIVATE USE.

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

SECTION 1. Arkansas Code § 5-4-109 is amended to read as follows:

5-4-109. Sentencing for sex offense.

A person who is convicted of an offense for which he or she is required to register as a sex offender under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., shall be notified at his or her sentencing by the court that he or she is prohibited from:

(1) ~~recording~~ Recording a person under fourteen (14) years of age under § 5-14-137 if he or she is assessed as a Level 3 or Level 4 offender; or

(2) Purchasing, owning, possessing, using, or operating an unmanned aircraft under § 5-14-138 if he or she is assessed as a Level 3 or Level 4 offender.



SECTION 2. Arkansas Code Title 5, Chapter 14, Subchapter 1, is amended to add an additional section to read as follows:

5-14-138. Registered offender prohibited from purchasing, owning, possessing, using, or operating an unmanned aircraft.

(a) As used in this section, "unmanned aircraft" means an aircraft, including an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft and has the ability to photographically or electronically record.

(b) It is unlawful for a person who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to knowingly purchase, own, possess, use, or operate an unmanned aircraft.

(c) This section does not apply to a person who:

(1) Is required to purchase, own, possess, use, or operate an unmanned aircraft as part of his or her employment; and

(2) Purchases, owns, possesses, uses, or operates an unmanned aircraft as part of his or her employment.

(d) A violation of this section is a Class D felony.

APPROVED: 2/3/23