

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/29/23
A Bill

SENATE BILL 96

By: Senator D. Wallace
By: Representative Milligan

For An Act To Be Entitled

AN ACT REGARDING THE TERMINATION OF THE OBLIGATION TO REGISTER AS A SEX OFFENDER; TO REQUIRE NOTIFICATION TO A VICTIM OF A SEX OFFENDER'S APPLICATION TO TERMINATE THE OBLIGATION TO REGISTER AS A SEX OFFENDER; TO INCLUDE NOTIFICATION TO THE VICTIM THROUGH THE COMPUTERIZED VICTIM NOTIFICATION SYSTEM; AND FOR OTHER PURPOSES.

Subtitle

REGARDING THE TERMINATION OF THE OBLIGATION TO REGISTER AS A SEX OFFENDER; AND TO REQUIRE NOTIFICATION TO A VICTIM OF A SEX OFFENDER'S APPLICATION TO TERMINATE AN OBLIGATION TO REGISTER.

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

SECTION 1. Arkansas Code § 12-12-919(b)(1)(B), concerning a hearing on the application to terminate the obligation to register as a sex offender, is amended to read as follows:

(B)(i) The court shall hold a hearing on the application under subdivision (b)(1)(A) of this section at which the applicant and any interested persons may present witnesses and other evidence.

(ii) No less than ~~twenty (20)~~ thirty (30) days before the date of the hearing on the application under subdivision (b)(1)(A) of this section, a copy of the application ~~for termination of the obligation~~



~~to register~~ under subdivision (b)(1)(A) of this section shall be served on:

(a) The prosecutor of the county in which the adjudication of guilt triggering registration was obtained if the sex offender was convicted in this state; or

(b) The prosecutor of the county where a sex offender resides if the sex offender was convicted in another state.

(iii) A copy of the application under subdivision (b)(1)(A) of this section also shall be served ~~to~~ on the Arkansas Sex Offender Registry in the Arkansas Crime Information Center and to Community Notification Assessment at least ~~twenty (20)~~ thirty (30) days before the hearing.

(iv)(a) Upon receipt of the application under subdivision (b)(1)(A) of this section, the court shall notify the computerized victim notification system under § 12-12-1201 of the filing of the application.

(b) The computerized victim notification system § 12-12-1201 shall notify a victim who has opted in to receive notifications of the filing of an application to terminate an obligation to register under this section.

SECTION 2. Arkansas Code § 12-12-1201 is amended to read as follows:
12-12-1201. Authorization.

The Arkansas Crime Information Center is authorized to develop and operate a computerized victim notification system which shall provide:

(1) A mechanism for victims of criminal offenses or the victim's next of kin to access information about proceedings in the criminal justice and corrections systems by use of a twenty-four-hour toll-free in-watts telephone service; and

(2) Automatic notification by computerized telephone service to the victims of criminal offenses or the victim's next of kin of:

(A) An inmate's, parolee's, or probationer's status, including the location of the inmate, parolee, or probationer; ~~and~~

(B) A person's release or modification of a conditional release from the custody of the Arkansas State Hospital, a local or regional hospital, a local or regional mental health facility, or a local or regional jail to which the person has been committed by a court when the person

committed a criminal act against the victim but was adjudicated in the criminal case to have a mental disease or defect under § 5-2-301 et seq.; and (C) A sex offender's application for the termination of the obligation to register as a sex offender under § 12-12-919.

/s/D. Wallace

APPROVED: 4/11/23