

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2296

"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE CONCERNING
THE SEX OFFENDER REGISTRATION ACT OF 1997."

Amendment No. 1 to House Bill No. 2296.

Amend House Bill No. 2296 as engrossed, 3/28/03:

Page 4, line 24 after "5-14-112" add ", if a felony level offense"

AND

Page 6, delete lines 5 through 8

AND

Page 13, delete lines 14 and 15 and substitute:

"(2) Are determined to be delinquent or otherwise in noncompliance with the requirements of registration under rules and regulations promulgated by the Sex Offender Assessment Committee; or"

Page 15, delete lines 1 through 5 and substitute:

"(ii)(a) Failure to appear or failure to cooperate fully with assessment personnel shall result in a default classification of the highest risk category and in notification of the parole or probation officer, if applicable, and may be considered a violation of the statute requiring registration.

(b) Neither the exercise of the right to appeal a conviction nor the refusal to admit an offense of which the offender was convicted after a trial shall be considered as a failure to cooperate fully.

(iii)(a) No statement made to the assessment personnel in the course of the assessment, nor any information derived from the statement made to the assessment personnel, shall be admissible in any criminal prosecution.

(b) This does not exempt staff from reporting ongoing abuse to the Central Registry as required under § 5-28-201, et seq."

AND



Page 16, delete lines 3 through 7 and substitute:

“(2)(A) The sex offender or sexually violent predator shall have access to records and information generated and maintained by the Sex Offender Assessment Committee unless the record or information generated contains the addresses of victims or persons who have made statement adverse to the sex offender or sexually violent predator.

(B) In that event, the addresses shall be redacted, and the sex offender or sexually violent predator shall have access to records and information other than the addresses.”

AND

Page 19, line 26 after “guidelines” add “, provided that the protocols establish that the designation as a sexually violent predator be by clear and convincing evidence”

AND

Page 20, delete lines 2 through 4 and substitute:

“(B) Documents or information not available at the time of assessment that have a bearing on the risk that the individual poses to the community; or

(C) The assessment is not supported by clear and convincing evidence.”

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Bookout
PBB/RCK - 041520030928
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Secretary