

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1808

By: Representative Hammer

For An Act To Be Entitled

AN ACT TO CREATE THE OFFENSE OF SEXUAL EXTORTION;
INCLUDING THE OFFENSE OF SEXUAL EXTORTION IN LISTS OF
DISQUALIFYING OFFENSES FOR CERTAIN EMPLOYMENT OR
LICENSURE; TO INCLUDE SEXUAL EXTORTION AS AN OFFENSE
FOR WHICH A PERSON IS REQUIRED TO REGISTER AS A SEX
OFFENDER; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE OFFENSE OF SEXUAL
EXTORTION; INCLUDING SEXUAL EXTORTION AS
A DISQUALIFYING OFFENSE FOR CERTAIN
EMPLOYMENT OR LICENSURE; AND TO INCLUDE
SEXUAL EXTORTION AS AN OFFENSE REQUIRING
REGISTRATION AS A SEX OFFENDER.

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

SECTION 1. Arkansas Code § 5-14-101, concerning definitions for sexual offenses, is amended to add additional subdivisions to read as follows:

(12) "Recording" includes without limitation an image or video;

(13) "Sexually explicit conduct" means the same as defined in § 5-27-302; and

(14) "State of nudity" means the same as defined in § 5-26-302.

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

5-14-113. Sexual extortion.



(a) A person commits the offense of sexual extortion if:

(1) With the purpose to coerce another person to engage in sexual contact or sexually explicit conduct, the person communicates a threat to:

(A) Damage the property or harm the reputation of the other person; or

(B) Produce or distribute a recording of the other person engaged in sexually explicit conduct or depicted in a state of nudity;

(2) With the purpose to produce or distribute a recording of a person in a state of nudity or engaged in sexually explicit conduct, the person communicates a threat to:

(A) Damage the property or harm the reputation of the other person; or

(B) Produce or distribute a recording of the other person engaged in sexually explicit conduct or depicted in a state of nudity; or

(3) The person knowingly causes another person to engage in sexual contact or sexually explicit conduct or to produce or distribute a recording of a person in a state of nudity or engaged in sexually explicitly conduct by communicating a threat to:

(A) Damage the property or harm the reputation of the other person; or

(B) Produce or distribute a recording of the other person engaged in sexually explicit conduct or depicted in a state of nudity.

(b) Sexual extortion is a Class B felony.

SECTION 3. Arkansas Code § 6-17-410(c), concerning offenses for which a person is disqualified from being eligible to receive or hold a license as teacher at an elementary or secondary educational entity, is amended to add an additional subdivision to read as follows:

(45) Sexual extortion, § 5-14-113.

SECTION 4. Arkansas Code § 6-17-414(b), concerning offenses for which a person is disqualified from employment as nonlicensed staff at an educational entity, is amended to add an additional subdivision to read as follows:

(45) Sexual extortion, § 5-14-113.

SECTION 5. Arkansas Code § 9-28-409(e)(3), concerning offenses for which a person is required to have a criminal records check in order to be eligible to have direct and unsupervised contact with a child in the care of a child welfare agency, is amended to add an additional subdivision to read as follows:

(L)(L)(L) Sexual extortion, § 5-14-113.

SECTION 6. Arkansas Code § 12-12-104(f)(2), concerning a list of sex offenses used in crime reporting and investigations, is amended to add an additional subdivision to read as follows:

(R) Sexual extortion, § 5-14-113.

SECTION 7. Arkansas Code § 12-12-903(13)(A)(i), concerning the list of sexual offenses for which a person is required to register as a sex offender, is amended to add an additional subdivision to read as follows:

(ee) Sexual extortion, § 5-14-113.

SECTION 8. Arkansas Code § 16-90-1101(6), concerning a list of sex offenses used regarding the rights of a victim of a crime, is amended to add an additional subdivision to read as follows:

(S) Sexual extortion, § 5-14-113.

SECTION 9. Arkansas Code § 17-17-312(f), concerning offenses for which a person is disqualified from being eligible to receive or hold a license as an auctioneer, is amended to add an additional subdivision to read as follows:

(32) Sexual extortion, § 5-14-113.

SECTION 10. Arkansas Code § 17-27-313(e), concerning offenses for which a person is disqualified from being eligible to receive or hold a license as a counselor, is amended to add an additional subdivision to read as follows:

(34) Sexual extortion, § 5-14-113.

SECTION 11. Arkansas Code § 17-87-312(e), concerning offenses for

which a person is disqualified from being eligible to receive or hold a license as a nurse, is amended to add an additional subdivision to read as follows:

(34) Sexual extortion, § 5-14-113.

SECTION 12. Arkansas Code § 17-87-312(1)(2), concerning offenses for which a person is permanently disqualified from being eligible to receive or hold a license as a nurse, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 13. Arkansas Code § 17-97-312(f), concerning offenses for which a person is disqualified from being eligible to receive or hold a license as a psychologist or psychological examiner, is amended to add an additional subdivision to read as follows:

(34) Sexual extortion, § 5-14-113.

SECTION 14. Arkansas Code § 17-97-312(m)(2), concerning offenses for which a person is permanently disqualified from being eligible to receive or hold a license as a psychologist or psychological examiner, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 15. Arkansas Code § 17-103-307(e), concerning offenses for which a person is disqualified from being eligible to receive or hold a license as a social worker, is amended to add an additional subdivision to read as follows:

(34) Sexual extortion, § 5-14-113.

SECTION 16. Arkansas Code § 17-103-307(k)(2), concerning offenses for which a person is permanently disqualified from being eligible to receive or hold a license as a social worker, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 17. Arkansas Code § 20-13-1106(b), concerning offenses for

which a person is disqualified from certification or recertification as emergency medical services personnel, is amended to add an additional subdivision to read as follows:

(35) Sexual extortion, § 5-14-113.

SECTION 18. Arkansas Code § 20-13-1106(e)(2), concerning offenses for which a person is permanently disqualified from certification or recertification as emergency medical services personnel, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 19. Arkansas Code § 20-38-105(b), concerning offenses for which a person is disqualified from employment, is amended to add an additional subdivision to read as follows:

(60) Sexual extortion, § 5-14-113.

SECTION 20. Arkansas Code § 20-38-105(c)(2)(A), concerning offenses for which a person is permanently disqualified from employment, is amended to add an additional subdivision to read as follows:

(xi) Sexual extortion, § 5-14-113.

SECTION 21. Arkansas Code § 21-15-102(f), concerning offenses for which a person is disqualified from employment with a state agency, is amended to add an additional subdivision to read as follows:

(35) Sexual extortion, § 5-14-113.

SECTION 22. Arkansas Code § 21-15-102(g)(2), concerning offenses for which a person is permanently disqualified from employment with a state agency, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 23. Arkansas Code § 21-15-103(g), concerning offenses for which a state agency shall discharge a person from employment, is amended to add an additional subdivision to read as follows:

(34) Sexual extortion, § 5-14-113.

SECTION 24. Arkansas Code § 21-15-103(h)(2), concerning offenses for which a person is permanently disqualified from employment by a state agency, is amended to add an additional subdivision to read as follows:

(K) Sexual extortion, § 5-14-113.

SECTION 25. Arkansas Code § 21-15-104(c), concerning offenses a state agency may not waive regarding the exclusion or discharge requirement of a person in a designated position, is amended to add an additional subdivision to read as follows:

(20) Sexual extortion, § 5-14-113.