

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1335

By: Representative Gazaway

For An Act To Be Entitled

AN ACT EXPANDING THE RIGHTS AFFORDED TO A VICTIM OF A
SEX OFFENSE; AND FOR OTHER PURPOSES.

Subtitle

EXPANDING THE RIGHTS AFFORDED TO A VICTIM
OF A SEX OFFENSE.

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

SECTION 1. Arkansas Code Title 16, Chapter 90, Subchapter 11, is amended to add an additional section to read as follows:

16-90-1116. Rights of victim of sex offense.

(a) In addition to the rights afforded all victims under this subchapter and as otherwise provided by law, a victim of a sex offense has the right to:

(1) Have evidence of the sex offense retained and properly stored until the pertinent statute of limitations for the most serious sex offense for which the perpetrator of the sex offense may be charged under a liberal evaluation of the available facts has lapsed;

(2) Access free of charge any medical information of the victim included in a sexual assault collection kit or collected as part of a medical-legal examination;

(3) Consult with a counselor with experience in counseling victims of sex offenses and with other sexual assault or sex offense support professionals at the victim's choosing, including during any interview with persons concerned with the prosecution of or defense to the criminal investigation or trial concerning the sex offense; and



(4) Receive an analysis of any forensic evidence by the State Crime Laboratory within ninety (90) days of the date of the forensic evidence's being collected by a law enforcement agency with jurisdiction.

(b) Unless otherwise provided by this section, the rights afforded under this section extend through the duration of any investigation into the sex offense as well as through the duration of a trial that results from the investigation of the sex offense.