

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H4/1/21  
**A Bill**

HOUSE BILL 1741

By: Representatives Lundstrum, Speaks, Rye, Cloud, Bentley, McGrew, Hollowell, M. Berry, Milligan, Crawford, Bryant, Haak, *Brooks, Brown, Christiansen, C. Cooper, Richmond, Scott, B. Smith, Wing, Wooten*

By: Senator A. Clark

### **For An Act To Be Entitled**

AN ACT CONCERNING CONDITIONS OF RELEASE ON BAIL FOR PERSONS ARRESTED FOR HUMAN TRAFFICKING-RELATED OFFENSES; AND FOR OTHER PURPOSES.

### **Subtitle**

CONCERNING CONDITIONS OF RELEASE ON BAIL FOR PERSONS ARRESTED FOR HUMAN TRAFFICKING-RELATED OFFENSES.

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

SECTION 1. Arkansas Code Title 16, Chapter 84, Subchapter 1, is amended to add an additional section to read as follows:

16-84-117. Conditions for release on bail for persons accused of human trafficking and related offenses.

(a) As used in this section, "offense that involves the taking of a minor or holding a minor without consent" does not mean an offense under § 5-26-501 et seq.

(b) Unless waived by the court under subsection (c) of this section, a person arrested for a violation of trafficking of persons, § 5-18-103, kidnapping, § 5-11-102, or false imprisonment in the first degree, § 5-11-103, or an offense that involves the taking of a minor or holding a minor without consent, shall not be granted bail before the person agrees to the following conditions imposed by the arraigning court:



- (1) An ankle monitor or GPS-enabled tracking device;
- (2) Restricted movement limited to the person's residence, except in the case of a medical emergency;
- (3) A restriction on internet access and access to electronic media;
- (4) An agreement by the defendant to:
  - (A) A no contact order prohibiting direct or indirect contact with the victim or victims of the charged offense;
  - (B) Relinquish all firearms to a third party until the expiration of the no contact order; and
  - (C) Refrain from using an illegal controlled substance;
- (5) A cash bond or a secured bond requiring the defendant to put up at least fifty percent (50%) of the principal bond amount, at the discretion of the court;
- (6) Maintaining regular reporting requirements, at the discretion of the court; and
- (7) Obeying a curfew, at the court's discretion;
- (c) The court may waive a condition under subsection (b) of this section upon a showing that the waiver would not result in an increased risk to the community or an increased risk of flight by the defendant.
- (d) Absent a waiver by the court under subsection (c) of this section, a person who refuses or fails to agree to or adhere to a condition listed under subsection (b) of this section shall not be allowed release on bail until the conclusion of his or her case.

*/s/Lundstrum*