

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/10/25

A Bill

HOUSE BILL 1535

By: Representatives Duffield, *Wardlaw*

By: Senator Dees

For An Act To Be Entitled

AN ACT TO PROVIDE AN ENHANCED SENTENCE FOR PERSONS CONVICTED OF RAPE OF A CHILD TWELVE YEARS OF AGE OR YOUNGER; TO PERMIT CHEMICAL CASTRATION BY MEDROXYPROGESTERONE ACETATE TREATMENT FOR PERSONS CONVICTED OF RAPE OF A CHILD TWELVE YEARS OF AGE OR YOUNGER; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO ADMINISTER MEDROXYPROGESTERONE ACETATE TREATMENT FOR CERTAIN PERSONS; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE AN ENHANCED SENTENCE FOR PERSONS CONVICTED OF RAPE OF A CHILD TWELVE YEARS OF AGE OR YOUNGER; TO PERMIT THE DEPARTMENT OF CORRECTIONS TO ADMINISTER MEDROXYPROGESTERONE ACETATE TREATMENT FOR CHEMICAL CASTRATION.

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

SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended to add an additional section to read as follows:

5-4-708. Enhanced sentence of chemical castration for certain sex offenders.

(a) Subject to subsection (b) of this section, a person who commits rape, § 5-14-103, upon conviction is subject to an enhanced sentence of chemical castration by medroxyprogesterone acetate treatment to be administered by the Department of Corrections by a licensed physician if the



victim of the offense was twelve (12) years of age or younger.

(b)(1) An order of a court sentencing a defendant to medroxyprogesterone acetate treatment under this section is contingent upon a determination by a medical expert appointed by the court that the defendant is an appropriate candidate for medroxyprogesterone acetate treatment.

(2) The determination of a medical expert under subdivision (b)(1) of this section shall be made no later than sixty (60) days from the imposition of sentence.

(3) An order of the court sentencing a defendant to medroxyprogesterone acetate treatment under this section shall specify the duration of medroxyprogesterone acetate treatment for a specific term of years, or in the discretion of the court, up to the life of the defendant.

(c)(1) The department shall provide the services necessary to administer and monitor medroxyprogesterone acetate treatment under this section.

(2) If a defendant subject to this section is sentenced to imprisonment or confinement in an institution, the medroxyprogesterone acetate treatment under this section shall commence not later than one (1) week before the defendant's release from prison or the institution.

(3) Medroxyprogesterone acetate treatment shall not be performed under this section if medroxyprogesterone acetate treatment is not medically appropriate.

(4) Instead of medroxyprogesterone acetate treatment under this section, the court may order the defendant to undergo physical castration if the defendant files a written motion with the court stating that the defendant intelligently and knowingly gives the defendant's voluntary consent to physical castration as an alternative to the medroxyprogesterone acetate treatment.

(d) If a defendant is sentenced to medroxyprogesterone acetate treatment under this section and knowingly fails to appear for medroxyprogesterone acetate treatment or knowingly refuses to allow medroxyprogesterone acetate treatment, upon conviction the defendant is guilty of a Class Y felony.

/s/Duffield