



## ARKANSAS SENTENCING COMMISSION

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### Impact Assessment for HB1004a Sponsored by Representative Ray

**Subtitle** TO AMEND THE SEX OFFENDER REGISTRATION ACT OF 1997 TO INCLUDE DISCLOSURE OF A SEX OFFENDER'S ADDRESS TO THE PUBLIC; AND TO DECLARE AN EMERGENCY.

**Impact Summary**<sup>1</sup> Cannot be determined. The proposed bill amends the Sex Offender Registration Act of 1997 to include additional public disclosures of sex offender registrant information, the potential impact of which cannot be ascertained from available data.

**Change from Current Law**<sup>2</sup> Amends the Sex Offender Registration Act of 1997, specifically, various provisions of Arkansas Code Annotated § 12-12-913, concerning disclosures within the Sex Offender Registration Act of 1997. The proposed bill amends A.C.A. § 12-12-913(j)(1)(A) and (B). Under the proposed bill, A.C.A. § 12-12-913(j)(1)(A)(iv) and A.C.A. § 12-12-913(j)(1)(B)(iv) are amended to include the *physical address of the sex offender, including without limitation the street name, house number, apartment or unit number, county, city, and zip code* where the sex offender resides. Current language requires disclosure of the block number for addresses. [New language is indicated by *italics*.] A.C.A. § 12-12-913(j)(1)(A) concerns sex offenders classified as Level 3 or Level 4 offenders by the Community Notification Assessment. A.C.A. § 12-12-913(j)(1)(B) concerns sex offenders registered who were eighteen (18) years of age or older at the time of the commission of the sex offense that required registration under the Sex Offender Registration Act of 1997 and the victim of the sex offense was fourteen (14) years of age or younger and the sex offender is classified as a Level 2 offender by the Community Notification Assessment.

**Impact Information** The proposed bill increases the amount of information disclosed to the public about certain offenders required to submit to the registration under the Sex Offender Registration Act of 1997. The proposed bill affects all sex offenders assessed as Level 3 or Level 4, and sex offenders assessed as Level 2 with a victim who was less than fourteen (14) years of age. Data for the Sex Offender Registry is compiled and made available to the public by the Arkansas Department of Public Safety through the Arkansas Crime Information Center (ACIC).

ACIC reports that as of January 19, 2023, there are 18,418 sex offenders registered in Arkansas. Of those registered, 486 are assessed as Level 4, 5,230 are assessed Level 3, and 7,523 are assessed as Level 2. An additional 4,119 offenders are not yet assessed. The increased public disclosure of personal information may

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<sup>1</sup> This impact assessment was prepared 2/3/2023 6:08 AM by the staff of the Arkansas Sentencing Commission pursuant to A. C. A. § 16-90-802(d)(6) with data supplied by the Arkansas Department of Corrections and the Administrative Office of the Courts. A micro-simulation model may be used for bills which have the potential for significant impact on correctional resources. The following designations will be used: "minimal" = less than 10 offenders per year will be affected; "medium" = would require budgetary increases for ADC inmate costs; and "major" = would require budgetary increases for ADC inmate costs and construction costs for additional beds.

<sup>2</sup> Standard punishment ranges:

Class Y	10-40 years or life	Class C	3-10 years; up to \$10,000
Class A	6-30 years; up to \$15,000	Class D	0-6 years; up to \$10,000
Class B	5-20 years; up to \$15,000	Unclassified	As specified in statute

	Misdemeanors
Class A	Up to 1 year; up to \$2,500
Class B	Up to 90 days; up to \$1,000
Class C	Up to 30 days; up to \$500

have a potential impact on the housing opportunities for impacted offender, which could result in longer prison stays while awaiting an approved parole plan. Since the proposed bill amends the amount of information made available to the public, the impact on correctional resources cannot be determined.