

State of Arkansas *As Engrossed: S4/8/25 S4/14/25*

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1865

By: Representatives Vaught, Gazaway, Barnett, M. Brown, Hudson, L. Johnson, Maddox, Pearce, R.

Scott Richardson, Rose, *Clowney*

By: Senators Gilmore, C. Tucker

For An Act To Be Entitled

AN ACT TO CREATE AN ENHANCED PENALTY FOR CERTAIN
OFFENSES AGAINST A CHILD; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE AN ENHANCED PENALTY FOR
CERTAIN OFFENSES AGAINST A CHILD.

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 penalty for offenses committed against child.

(a) A person who is eighteen (18) years of age or older and commits a
felony offense described in subsection (b) of this section is subject to an
enhanced penalty under this section if:

(1) The offense is committed against a child; and

(2) The person is in a position of trust or authority over the
child.

(b) The enhanced penalty in this section applies to a felony offense
listed below or contained in the following chapters or subchapters:

(1) Homicide, § 5-10-101 et seq.;

(2) Kidnapping and related offenses, § 5-11-101 et seq.;

(3) Sexual offenses, § 5-14-101 et seq.;

(4) Voyeurism offenses, § 5-16-101 et seq.;

(5) The Human Trafficking Act of 2013, § 5-18-101 et seq.;

(6) The Arkansas Protection of Children Against Exploitation Act



1 of 1979, § 5-27-301 et seq.;

2 (7) Use of children in sexual performances, § 5-27-401 et seq.;

3 and

4 (8) Computer crimes against minors, § 5-27-601 et seq.

5 (c) The minimum term of imprisonment under an enhanced penalty under
6 this section is:

7 (1) Thirty (30) years for a Class Y felony;

8 (2) Fifteen (15) years for a Class A felony;

9 (3) Ten (10) years for a Class B felony;

10 (4) Five (5) years for a Class C felony; and

11 (5) One (1) year for a Class D felony.

12 (d) If an enhanced penalty is sought under this section, the
13 information or indictment shall include:

14 (1) That the enhanced penalty under this section is being
15 sought; and

16 (2) The allegations supporting the imposition of the enhanced
17 penalty under this section.

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19 /s/Vaught

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22 APPROVED: 4/22/25