

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1865

5 By: Representatives Vaught, Gazaway, Barnett, M. Brown, Hudson, L. Johnson, Maddox, Pearce, R. Scott
6 Richardson, Rose
7 By: Senator C. Tucker
8

For An Act To Be Entitled

9
10 AN ACT TO CREATE AN ENHANCED PENALTY FOR CERTAIN
11 OFFENSES AGAINST A CHILD; AND FOR OTHER PURPOSES.
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Subtitle

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15 TO CREATE AN ENHANCED PENALTY FOR
16 CERTAIN OFFENSES AGAINST A CHILD.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 5, Chapter 4, Subchapter 7, is amended
21 to add an additional section to read as follows:

22 5-4-708. Enhanced penalty for offenses committed against child.

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

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

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

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

31 (1) Homicide, § 5-10-101 et seq.;

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

33 (3) Assault and battery, § 5-13-101 et seq.;

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

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

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



1 (7) Domestic Battering and Assault, § 5-26-301 et seq.;

2 (8) Endangering the welfare of a minor in the first degree, § 5-
 3 27-205;

4 (9) Permitting abuse of a minor, § 5-27-221;

5 (10) Exposing a child to a chemical substance or
 6 methamphetamine, § 5-27-230;

7 (11) The Arkansas Protection of Children Against Exploitation
 8 Act of 1979, § 5-27-301 et seq.;

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

10 (13) Computer crimes against minors, § 5-27-601 et seq.; and

11 (14) Stalking, § 5-71-229.

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

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

15 (2) Seventeen (17) years for a Class A felony;

16 (3) Fourteen (14) years for a Class B felony;

17 (4) Seven (7) years for a Class C felony; and

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

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

21 (1) That the enhanced penalty under this section is being
 22 sought; and

23 (2) The allegations supporting the imposition of the enhanced
 24 penalty under this section.

25 (e) A person who receives a minimum term of imprisonment under an
 26 enhanced penalty under this section is not eligible for early release on
 27 parole, transfer to post-release supervision, or community correction
 28 transfer for the minimum term of imprisonment.

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