

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H3/8/23 H3/27/23
A Bill

HOUSE BILL 1151

By: Representative Vaught

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING SEXUALLY GROOMING A CHILD; TO AMEND THE MAXIMUM AGE FOR A VICTIM FOR THE OFFENSE OF SEXUALLY GROOMING A CHILD; TO INCREASE THE PENALTY FOR SEXUALLY GROOMING A CHILD; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING SEXUALLY GROOMING A CHILD; TO AMEND THE MAXIMUM AGE FOR A VICTIM FOR THE OFFENSE OF SEXUALLY GROOMING A CHILD; AND TO INCREASE THE PENALTY FOR SEXUALLY GROOMING A CHILD.

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

SECTION 1. Arkansas Code § 5-27-307(b) and (c), concerning sexually grooming a child, are amended to read as follows:

(b) A person commits sexually grooming a child if he or she knowingly: ~~disseminates~~

(1) Disseminates to a child ~~thirteen (13) years of~~ under the age of sixteen (16) years who the actor knows or who a reasonable person would know is under the age of sixteen (16) years ~~age or younger with or without consideration~~ a visual or print medium depicting sexually explicit conduct with the purpose to entice, induce, or groom the child ~~thirteen (13) years of age or younger~~ under the age of sixteen (16) years to engage in the following with a person when prohibited by law:



- ~~(1)(A)~~ Sexual intercourse;
- ~~(2)(B)~~ Sexually explicit conduct; or
- ~~(3)(C)~~ Deviate sexual activity; or

(2) Offers, gives, or agrees to give money to a child under the age of sixteen (16) years with the purpose to induce the child under the age of sixteen (16) years not to disclose information regarding any of the following that the person has committed against the child under the age of sixteen (16) years:

- (A) An offense under § 5-14-101 et seq.;
- (B) An offense under the Human Trafficking Act of 2013, § 5-18-101 et seq.;
- (C) An offense under this subchapter;
- (D) An offense under § 5-27-401 et seq.; or
- (E) An offense under § 5-27-601 et seq.

(c)(1) Sexually grooming a child under subdivision (b)(1) of this section is a:

- ~~(1)(A)~~ Class ~~D~~ B felony if the actor is twenty-one (21) years of age or older; or
- ~~(2)(B)~~ Class A misdemeanor if the actor is younger than twenty-one (21) years of age.

(2) Sexually grooming a child under subdivision (b)(2) of this section is a:

- (A) Class C felony if the actor is twenty-one (21) years of age or older; or
- (B) Class A misdemeanor if the actor is younger than twenty-one (21) years of age.

SECTION 2. Arkansas Code § 5-27-307(e), concerning sexually grooming a child, *repealed*.

~~(e) It is not a defense to prosecution under this section that the actor does not know the age of the child or believes the child is fourteen (14) years of age or older.~~

/s/Vaught