

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1647

5 By: Representatives Rose, C. Fite
6 By: Senator J. Petty
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE OFFENSE OF OFFENSIVE RELATIONS
10 WITH A CHILD; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.
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Subtitle

15 TO CREATE THE OFFENSE OF OFFENSIVE
16 RELATIONS WITH A CHILD; AND TO DECLARE AN
17 EMERGENCY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 5, Chapter 27, Subchapter 2, is amended
23 to add an additional section to read as follows:

24 5-27-208. Offensive relations with a child.

25 (a) A person commits offensive relations with a child if:

26 (1) Being twenty-one (21) years of age or older, he or she
27 knowingly places his or her open mouth on the mouth of another person;

28 (2) The other person is a child thirteen (13) years of age or
29 younger; and

30 (3) The person has the purpose to entice or induce the other
31 person to engage in the following with the person:

32 (A) Sexual intercourse;

33 (B) Deviate sexual activity; or

34 (C) Sexual contact, as defined in § 5-14-101.

35 (b) Offensive relations with a child is a Class A misdemeanor.

36 (c) It is not a defense to prosecution under this section that the



1 actor does not know the age of the child or believes the child is fourteen
 2 (14) years of age or older.

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 4 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 5 General Assembly of the State of Arkansas that children thirteen (13) years
 6 of age or younger are vulnerable and in need of protection from sexual
 7 predators; and that this act is immediately necessary to protect children
 8 thirteen (13) years of age or younger and to address a grave risk to public
 9 safety. Therefore, an emergency is declared to exist, and this act being
 10 immediately necessary for the preservation of the public peace, health, and
 11 safety shall become effective on:

12 (1) The date of its approval by the Governor;

13 (2) If the bill is neither approved nor vetoed by the Governor,
 14 the expiration of the period of time during which the Governor may veto the
 15 bill; or

16 (3) If the bill is vetoed by the Governor and the veto is
 17 overridden, the date the last house overrides the veto.

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 20 **APPROVED: 4/12/23**