

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

# A Bill

HOUSE BILL 1647

4  
5 By: Representatives Rose, C. Fite  
6 By: Senator J. Petty

## 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.

## Subtitle

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14 TO CREATE THE OFFENSE OF OFFENSIVE  
15 RELATIONS WITH A CHILD; AND TO DECLARE AN  
16 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.