

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 1973

TO CREATE THE OFFENSE OF SEXUAL GROOMING OF A CHILD; TO REQUIRE REGISTRATION WITH
THE SEX OFFENDER REGISTRY UPON CONVICTION OF SEXUAL GROOMING OF A CHILD; AND
CONCERNING UNLAWFUL SEXUAL OFFENSES AGAINST A CHILD.

Amendment No. 1 to House Bill No. 1973

Amend House Bill No. 1973 as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 5-27-302(5), concerning the definition of "visual or print medium", is amended to read as follows:

(5) "Visual or print medium" means any film, photograph, negative, slide, book, magazine, magnetic image, electronic image, or other visual or print medium other than material specifically used by a licensed medical professional or mental health professional, or both, for the purpose of assessment, evaluation, and treatment of a sex offender.

SECTION 2. Arkansas Code Title 5, Chapter 27, Subchapter 3, is amended to add a new section to read as follows:

5-27-307. Sexually grooming a child.

(a) As used in this section "disseminates" means to allow to view, expose, furnish, present, sell, or otherwise distribute.

(b) A person commits sexually grooming a child if he or she knowingly disseminates to a child thirteen (13) years of 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 to engage in the following with a person:

- (1) Sexual intercourse;
- (2) Sexually explicit conduct; or
- (3) Deviate sexual activity.

(c) Sexually grooming a child is a:

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

(d) It is an affirmative defense to prosecution under this section that the actor was not more than three (3) years older than the victim.

(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.

SECTION 2. Arkansas Code § 12-12-903(12)(A)(i), concerning the definition of "sex offense", is amended to add a new subdivision to read as follows:

(bb) Sexually grooming a child, § 5-27-307;"

The Amendment was read _____

By: Representative D. Douglas
BPG/LNS - 03-18-2013 13:06:14
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Chief Clerk