

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: H3/19/13

# A Bill

HOUSE BILL 1973

5 By: Representative D. Douglas  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF SEXUAL GROOMING OF A  
9 CHILD; TO REQUIRE REGISTRATION WITH THE SEX OFFENDER  
10 REGISTRY UPON CONVICTION OF SEXUAL GROOMING OF A  
11 CHILD; CONCERNING UNLAWFUL SEXUAL OFFENSES AGAINST A  
12 CHILD; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO CREATE THE OFFENSE OF SEXUAL GROOMING  
16 OF A CHILD; TO REQUIRE REGISTRATION WITH  
17 THE SEX OFFENDER REGISTRY UPON CONVICTION  
18 OF SEXUAL GROOMING OF A CHILD; AND  
19 CONCERNING UNLAWFUL SEXUAL OFFENSES  
20 AGAINST A CHILD.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 *SECTION 1. Arkansas Code § 5-27-302(5), concerning the definition of*  
27 *"visual or print medium", is amended to read as follows:*

28 *(5) "Visual or print medium" means any film, photograph, negative,*  
29 *slide, book, magazine, magnetic image, electronic image, or other visual or*  
30 *print medium other than material specifically used by a licensed medical*  
31 *professional or mental health professional, or both, for the purpose of*  
32 *assessment, evaluation, and treatment of a sex offender.*  
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34 *SECTION 2. Arkansas Code Title 5, Chapter 27, Subchapter 3, is amended*  
35 *to add a new section to read as follows:*

36 *5-27-307. Sexually grooming a child.*



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

3 (b) A person commits sexually grooming a child if he or she knowingly  
4 disseminates to a child thirteen (13) years of age or younger with or without  
5 consideration a visual or print medium depicting sexually explicit conduct  
6 with the purpose to entice, induce, or groom the child thirteen (13) years of  
7 age or younger to engage in the following with a person:

8 (1) Sexual intercourse;

9 (2) Sexually explicit conduct; or

10 (3) Deviate sexual activity.

11 (c) Sexually grooming a child is a:

12 (1) Class D felony if the actor is twenty-one (21) years of age  
13 or older; or

14 (2) Class A misdemeanor if the actor is younger than twenty-one  
15 (21) years of age.

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

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

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22 SECTION 3. Arkansas Code § 12-12-903(12)(A)(i), concerning the  
23 definition of "sex offense", is amended to add a new subdivision to read as  
24 follows:

25 (bb) Sexually grooming a child, § 5-27-307;  
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28 /s/D. Douglas  
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