

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1013

5 By: Representative D. Meeks
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For An Act To Be Entitled

8 AN ACT CONCERNING THE CRIMINAL OFFENSE OF INTERNET
9 STALKING OF A CHILD; AND FOR OTHER PURPOSES.
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Subtitle

11 CONCERNING THE CRIMINAL OFFENSE OF
12 INTERNET STALKING OF A CHILD.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 5-27-306 is amended to read as follows:
20 5-27-306. Internet stalking of a child.

21 (a) A person commits the offense of ~~internet~~ Internet stalking of a
22 child if the person being twenty-one (21) years of age or older knowingly
23 uses a computer online service, ~~internet~~ Internet service, or local ~~internet~~
24 Internet bulletin board service to:

25 (1) Seduce, solicit, lure, or entice a child fifteen (15) years
26 of age or younger in an effort to arrange a meeting with the child for the
27 purpose of engaging in:

- 28 (A) Sexual intercourse;
29 (B) Sexually explicit conduct; or
30 (C) Deviate sexual activity;

31 (2) Seduce, solicit, lure, or entice an individual that the
32 person believes to be fifteen (15) years of age or younger in an effort to
33 arrange a meeting with the individual for the purpose of engaging in:

- 34 (A) Sexual intercourse;
35 (B) Sexually explicit conduct; or
36 (C) Deviate sexual activity;



1 (3) Compile, transmit, publish, reproduce, buy, sell, receive,
 2 exchange, or disseminate the name, telephone number, ~~electronic mail~~ email
 3 address, residence address, picture, physical description, characteristics,
 4 or any other identifying information on a child fifteen (15) years of age or
 5 younger in furtherance of an effort to arrange a meeting with the child for
 6 the purpose of engaging in:

- 7 (A) Sexual intercourse;
- 8 (B) Sexually explicit conduct; or
- 9 (C) Deviate sexual activity;

10 (4) Compile, transmit, publish, reproduce, buy, sell, receive,
 11 exchange, or disseminate the name, telephone number, ~~electronic mail~~ email
 12 address, residence address, picture, physical description, characteristics,
 13 or any other identifying information on an individual that the person
 14 believes to be fifteen (15) years of age or younger in furtherance of an
 15 effort to arrange a meeting with the individual for the purpose of engaging
 16 in:

- 17 (A) Sexual intercourse;
- 18 (B) Sexually explicit conduct; or
- 19 (C) Deviate sexual activity~~;~~ or

20 (5) Arrange a meeting with another person who holds himself or
 21 herself out as the parent, guardian, family member, or other person of
 22 authority over a child fifteen (15) years of age or younger or an individual
 23 that the person believes to be fifteen (15) years of age or younger in order
 24 to seduce, solicit, lure, or entice the child fifteen (15) years of age or
 25 younger or an individual that the person believes to be fifteen (15) years of
 26 age or younger for the purpose of engaging in:

- 27 (A) Sexual intercourse;
- 28 (B) Sexually explicit conduct; or
- 29 (C) Deviate sexual activity.

30 (b) Internet stalking of a child is a:

31 (1) Class B felony if the person attempts to arrange a meeting
 32 with:

33 (A) a ~~A~~ child fifteen (15) years of age or younger, even if
 34 a meeting with the child never takes place;

35 ~~(2) Class B felony if the person attempts to arrange a~~
 36 ~~meeting with an individual~~

1 (B) An individual that the person believes to be fifteen
 2 (15) years of age or younger, even if a meeting with the individual never
 3 takes place; or

4 (C) A person who holds himself or herself out as the
 5 parent, guardian, family member, or other person of authority over a child
 6 fifteen (15) years of age or younger or an individual that the person
 7 believes to be fifteen (15) years of age or younger, even if a meeting with
 8 the person never takes place; or

9 ~~(3)~~(2) Class A felony if the person arranges a meeting with a
 10 child fifteen (15) years of age or younger or an individual that the person
 11 believes to be fifteen (15) years of age or younger and an actual meeting
 12 with the child or the individual takes place, even if the person fails to
 13 engage the child or individual in:

- 14 (A) Sexual intercourse;
- 15 (B) Sexually explicit conduct; or
- 16 (C) Deviate sexual activity.

17 (c) This section does not apply to a person or entity providing an
 18 electronic communications service to the public that is used by another
 19 person to violate this section, unless the person or entity providing an
 20 electronic communications service to the public:

- 21 (1) Conspires with another person to violate this section; or
- 22 (2) Knowingly aids and abets a violation of this section.

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