

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

As Engrossed: H3/8/23

A Bill

HOUSE BILL 1151

5 By: Representative Vaught
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING SEXUALLY GROOMING
9 A CHILD; TO AMEND THE MAXIMUM AGE FOR A VICTIM FOR
10 THE OFFENSE OF SEXUALLY GROOMING A CHILD; TO INCREASE
11 THE PENALTY FOR SEXUALLY GROOMING A CHILD; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING SEXUALLY
16 GROOMING A CHILD; TO AMEND THE MAXIMUM
17 AGE FOR A VICTIM FOR THE OFFENSE OF
18 SEXUALLY GROOMING A CHILD; AND TO
19 INCREASE THE PENALTY FOR SEXUALLY
20 GROOMING 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 § 5-27-307(b) and (c), concerning sexually
27 grooming a child, are amended to read as follows:

28 (b) A person commits sexually grooming a child if he or she knowingly:
29 ~~disseminates~~

30 (1) Disseminates to a child ~~thirteen (13) years of~~ under the age
31 of sixteen (16) years who the actor knows or who a reasonable person would
32 know is under the age of sixteen (16) years ~~age or younger with or without~~
33 ~~consideration~~ a visual or print medium depicting sexually explicit conduct
34 with the purpose to entice, induce, or groom the child ~~thirteen (13) years of~~
35 ~~age or younger~~ under the age of sixteen (16) years to engage in the following
36 with a person:



1 ~~(1)~~(A) Sexual intercourse;
2 ~~(2)~~(B) Sexually explicit conduct; or
3 ~~(3)~~(C) Deviate sexual activity; or
4 (2) Offers, gives, or agrees to give money to a child under the
5 age of sixteen (16) years with the purpose to induce the child under the age
6 of sixteen (16) years not to disclose information regarding any of the
7 following that the person has committed against the child under the age of
8 sixteen (16) years:

9 (A) An offense under § 5-14-101 et seq.;

10 (B) An offense under the Human Trafficking Act of 2013, §
11 5-18-101 et seq.;

12 (C) An offense under this subchapter;

13 (D) An offense under § 5-27-401 et seq.; or

14 (E) An offense under § 5-27-601 et seq.

15 (c)(1) Sexually grooming a child under subdivision (b)(1) of this
16 section is a:

17 ~~(1)~~(A) Class ~~D~~ B felony if the actor is twenty-one (21)
18 years of age or older; or

19 ~~(2)~~(B) Class A misdemeanor if the actor is younger than
20 twenty-one (21) years of age.

21 (2) Sexually grooming a child under subdivision (b)(2) of this
22 section is a:

23 (A) Class C felony if the actor is twenty-one (21) years
24 of age or older; or

25 (B) Class A misdemeanor if the actor is younger than
26 twenty-one (21) years of age.

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28 SECTION 2. Arkansas Code § 5-27-307(e), concerning sexually grooming a
29 child, *repealed*.

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

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34 /s/Vaught

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