

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1776 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

As Engrossed: H3/15/05 S3/29/05

**A Bill**

HOUSE BILL 2578

4  
5 By: Representatives J. Martin, M. Martin, Adcock, Berry, Borhauer, Cook, Davis, Dunn, D. Johnson, W.  
6 Lewellen, Medley, Pace, Petrus, Saunders, Scroggin, Wills, Flowers  
7 By: Senator Madison

**For An Act To Be Entitled**

11 AN ACT TO CREATE THE CRIMINAL OFFENSE OF INTERNET  
12 STALKING OF A CHILD; AND FOR OTHER PURPOSES.

**Subtitle**

15 AN ACT TO CREATE THE CRIMINAL OFFENSE OF  
16 INTERNET STALKING OF A CHILD.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 SECTION 1. Arkansas Code Title 5, Chapter 27, Subchapter 3 is amended  
22 to add an additional section to read as follows:

23 5-27-306. Internet stalking of a child.

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

28 (1) Seduce, solicit, lure, or entice a child fifteen (15) years  
29 of age or younger in an effort to arrange a meeting with the child for the  
30 purpose of engaging in sexual intercourse, sexually explicit conduct, or  
31 deviate sexual activity as defined in § 5-14-101;

32 (2) Seduce, solicit, lure, or entice an individual that the  
33 person believes to be fifteen (15) years of age or younger in an effort to  
34 arrange a meeting with the individual for the purpose of engaging in sexual  
35 intercourse, sexually explicit conduct, or deviate sexual activity as defined



1 in § 5-14-101;

2 (3) Compile, transmit, publish, reproduce, buy, sell, receive,  
3 exchange, or disseminate the name, telephone number, electronic mail address,  
4 residence address, picture, physical description, characteristics, or any  
5 other identifying information on a child fifteen (15) years of age or younger  
6 in furtherance of an effort to arrange a meeting with the child for the  
7 purpose of engaging in sexual intercourse, sexually explicit conduct, or  
8 deviate sexual activity as defined in § 5-14-101; or

9 (4) Compile, transmit, publish, reproduce, buy, sell, receive,  
10 exchange, or disseminate the name, telephone number, electronic mail address,  
11 residence address, picture, physical description, characteristics, or any  
12 other identifying information on an individual that the person believes to be  
13 fifteen (15) years of age or younger in furtherance of an effort to arrange a  
14 meeting with the individual for the purpose of engaging in sexual  
15 intercourse, sexually explicit conduct, or deviate sexual activity as defined  
16 in § 5-14-101.

17 (b)(1) Internet stalking of a child is a Class C felony if the person  
18 attempts to arrange a meeting with a child fifteen (15) years of age or  
19 younger even if a meeting with the child never takes place.

20 (2) Internet stalking of a child is a Class C felony if the  
21 person attempts to arrange a meeting with an individual that the person  
22 believes to be fifteen (15) years of age or younger even if a meeting with  
23 the individual never takes place.

24 (3) Internet stalking of a child is a Class A felony if the  
25 person arranges a meeting with a child fifteen (15) years of age or younger  
26 and an actual meeting with the child takes place even if the person fails to  
27 engage the child in any sexual activity.

28 (c) This section shall not apply to a person or entity providing an  
29 electronic communications service to the public that is used by another  
30 person to violate this section unless the person or entity providing an  
31 electronic communications service to the public:

32 (1) Conspires with another person to violate this section; or

33 (2) Knowingly aids and abets the violation of this section.

34  
35 /s/ J. Martin  
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*APPROVED: 4/06/2005*