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2 State of Arkansas  
3 94th General Assembly  
4 Regular Session, 2023  
5

INTERIM STUDY PROPOSAL 2023-024  
As Engrossed: H3/8/23 H3/27/23

**A Bill**

HOUSE BILL 1151

6 By: Representative Vaught

7 Filed with: House Committee on Judiciary  
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE LAW CONCERNING SEXUALLY GROOMING  
11 A CHILD; TO AMEND THE MAXIMUM AGE FOR A VICTIM FOR  
12 THE OFFENSE OF SEXUALLY GROOMING A CHILD; TO INCREASE  
13 THE PENALTY FOR SEXUALLY GROOMING A CHILD; AND FOR  
14 OTHER PURPOSES.  
15

16  
17 **Subtitle**

18 TO AMEND THE LAW CONCERNING SEXUALLY  
19 GROOMING A CHILD; TO AMEND THE MAXIMUM  
20 AGE FOR A VICTIM FOR THE OFFENSE OF  
21 SEXUALLY GROOMING A CHILD; AND TO  
22 INCREASE THE PENALTY FOR SEXUALLY  
23 GROOMING A CHILD.  
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25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 5-27-307(b) and (c), concerning sexually  
29 grooming a child, are amended to read as follows:

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

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

1 ~~age or younger~~ under the age of sixteen (16) years to engage in the following  
2 with a person when prohibited by law:

- 3 ~~(1)~~(A) Sexual intercourse;
- 4 ~~(2)~~(B) Sexually explicit conduct; or
- 5 ~~(3)~~(C) Deviate sexual activity; or

6 (2) Offers, gives, or agrees to give money to a child under the  
7 age of sixteen (16) years with the purpose to induce the child under the age  
8 of sixteen (16) years not to disclose information regarding any of the  
9 following that the person has committed against the child under the age of  
10 sixteen (16) years:

- 11 (A) An offense under § 5-14-101 et seq.;
- 12 (B) An offense under the Human Trafficking Act of 2013, §  
13 5-18-101 et seq.;
- 14 (C) An offense under this subchapter;
- 15 (D) An offense under § 5-27-401 et seq.; or
- 16 (E) An offense under § 5-27-601 et seq.

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

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

23 (2) Sexually grooming a child under subdivision (b)(2) of this  
24 section is a:

- 25 (A) Class C felony if the actor is twenty-one (21) years  
26 of age or older; or
- 27 (B) Class A misdemeanor if the actor is younger than  
28 twenty-one (21) years of age.

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

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

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36 /s/Vaught

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Referred requested by the Arkansas House of Representatives  
Prepared by: JLL/SJA