

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

As Engrossed: H1/23/17
A Bill

HOUSE BILL 1013

5 By: Representative D. Meeks
6 *By: Senator Rapert*
7

8 **For An Act To Be Entitled**

9 AN ACT CONCERNING THE CRIMINAL OFFENSE OF INTERNET
10 STALKING OF A CHILD; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 CONCERNING THE CRIMINAL OFFENSE OF
14 INTERNET STALKING OF A CHILD.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-27-306 is amended to read as follows:
21 5-27-306. Internet stalking of a child.

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

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

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

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:

- 35 (A) Sexual intercourse;
36 (B) Sexually explicit conduct; or



1 (C) Deviate sexual activity;

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

8 (A) Sexual intercourse;

9 (B) Sexually explicit conduct; or

10 (C) Deviate sexual activity;

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

18 (A) Sexual intercourse;

19 (B) Sexually explicit conduct; or

20 (C) Deviate sexual activity-; or

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

28 (A) Sexual intercourse;

29 (B) Sexually explicit conduct; or

30 (C) Deviate sexual activity.

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

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

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

36 ~~(2) Class B felony if the person attempts to arrange a~~

1 ~~meeting with an individual~~

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

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

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

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

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

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

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25 /s/D. Meeks

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28 **APPROVED: 03/06/2017**