

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

As Engrossed: H3/8/23 H3/27/23

# 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 when prohibited by law:



- 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.

27  
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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/s/Vaught