

1-1 By: Hancock, Huffman S.B. No. 1562
1-2 (In the Senate - Filed March 3, 2023; March 16, 2023, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 5, 2023, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 5, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Flores	X		
1-10	Bettencourt	X		
1-11	Hinojosa	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to creating the criminal offense of child grooming.
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-19 SECTION 1. Chapter 15, Penal Code, is amended by adding
1-20 Section 15.032 to read as follows:
1-21 Sec. 15.032. CHILD GROOMING. (a) A person commits an
1-22 offense if, with the intent that an offense under Chapter 43 or an
1-23 offense involving sexual activity, the occurrence of which would
1-24 subject the actor to criminal liability under Chapter 20A, 21, or
1-25 22, be committed, the person knowingly persuades, induces, entices,
1-26 or coerces, or attempts to persuade, induce, entice, or coerce, a
1-27 child younger than 18 years of age to engage in specific conduct
1-28 that, under the circumstances surrounding the actor's conduct as
1-29 the actor believes them to be, would:
1-30 (1) constitute an offense under Chapter 43 or an
1-31 offense involving sexual activity the occurrence of which would
1-32 subject the actor to criminal liability under Chapter 20A, 21, or
1-33 22; or
1-34 (2) make the child a party to the commission of an
1-35 offense described by Subdivision (1).
1-36 (b) An offense under this section is a felony of the third
1-37 degree, except that the offense is a felony of the second degree if
1-38 the actor has previously been convicted of an offense under:
1-39 (1) Chapter 20A, if the offense involved conduct
1-40 described by Section 20A.02(a)(7) or (8);
1-41 (2) Section 21.02;
1-42 (3) Section 21.11;
1-43 (4) Section 22.011, if the victim of the offense was a
1-44 child under 18 years of age; or
1-45 (5) Section 22.021, if the victim of the offense was a
1-46 child under 18 years of age.
1-47 (c) It is an affirmative defense to prosecution under this
1-48 section that the actor is under the age of 18 and:
1-49 (1) the actor engaged in conduct described by
1-50 Subsection (a) with respect to another child under the age of 18:
1-51 (A) who is not more than three years older or
1-52 younger than the actor and with whom the actor had a dating
1-53 relationship at the time of the offense; or
1-54 (B) who was the spouse of the actor at the time of
1-55 the offense; and
1-56 (2) the conduct occurred only between the actor and
1-57 the other child described by Subdivision (1).
1-58 (d) If conduct constituting an offense under this section
1-59 also constitutes an offense under another section of this code, the
1-60 actor may be prosecuted under either section but not both sections.
1-61 SECTION 2. This Act takes effect September 1, 2023.

1-62 * * * * *