

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>HB2313</b>
<b>Version:</b>	<b>SAHB</b>
<b>Author:</b>	<b>Representative Duncan</b> <b>Senator Jolley</b>
<b>Date:</b>	<b>4/29/2010</b>
<b>Impact:</b>	<b>\$0</b>

**Bill Summary**

Research Analyst: Brad Wolgamott, Senior Research Analyst

The senate amendment to HB2313 clarifies the definition of sexual battery and lewd molestation by adding a definition for ‘employee of the same school system.’

HB2313 contains the following provisions:

Section 1. Allows a juvenile proceeding to be filed within six months after the date of the eighteenth birthday of a juvenile if the underlying act would constitute a misdemeanor if committed by an adult.

Section 2. Clarifies the crime of Robbery with a dangerous weapon and Robbery with a firearm as used in the Youthful Offender Act.

Section 3. Removes the requirement of every district attorney to file an annual account in writing in the office of the county treasurer of each of his districts.

Section 4. Makes it a crime for any person who is ordered to wear an electronic monitoring device to remove the device without authorization.

Section 5. Modifies the “Romeo and Juliet” provision of lewd molestation by removing the protections afforded by the “Romeo and Juliet” provision if the use of force or fear are present. Modifies the definition of “sexual battery” to include cases where the victim is at least 16 years of age and less than 20 years of age and under the care of a school and the perpetrator is 18 years of age or older and is an employee of the same school system as the victim. Includes the molestation of corpse in the definition of lewd molestation.

Section 6. Prohibits young persons convicted of child pornography offenses from participating in the Delayed Sentencing Program for Young Adults.

Section 7. Prohibits offender previously admitted to the Delayed Sentencing Program for Young Adults to be eligible for participation for subsequent offenses.

Section 8. Requires certified copies of birth certificates and death certificates to be provided without cost and without a court order to the Attorney General or to any district attorney upon request in the course of a criminal investigation.

Section 9. Repeals four sections of law relating to the compromising of offenses.

**Fiscal Summary**

Fiscal Analyst: Marilyn Anderson

SA HB2313 modifies the definition of lewd molestation and sexual battery.

**Fiscal Analysis**

SA HB2313 has no significant fiscal impact.

**Long Term Fiscal Considerations**

None

Fiscal Analysis Reviewed By:

*Janice Buchanan*

House Fiscal Director