

BILL SUMMARY
2nd Session of the 55th Legislature

Bill No.:	HB2398
Version:	CCR
Request Number:	9907
Author:	Rep. Biggs
Date:	5/18/2016
Impact:	Contingent upon the amt of violations.

Research Analysis

The Conference Committee Substitute to HB 2398 creates the Justice for J.W. Act of 2016. The measure provides that the term “force” shall mean any force necessary to accomplish the act of sexual assault without the consent of the victim. The Court of Criminal Appeals is to publish a uniform jury instruction for jury trials defining the term “force”. The measure defines the term “sexual assault”. The measure defines the term “consent”. The measure provides that the crime of sodomy has occurred if the person is at the time unconscious of the nature of the act or if the person is intoxicated by a narcotic or anesthetic agent administered by the accused.

Prepared By: Brad Wolgamott

Fiscal Analysis

Any person found guilty of the newly added provisions would have to serve the mandatory sentence currently in place.

Cost of incarceration with the DOC	
<u>Type</u>	<u>Daily</u>
Maximum	87.20
Medium	42.83
Minimum	41.75
Community	47.07
Work Center	42.35

Prepared By: Joshua Maxey

Other Considerations

None.