

BILL SUMMARY
2nd Session of the 56th Legislature

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| Bill No.: | HB 3302 |
| Version: | INT |
| Request Number: | 8898 |
| Author: | Rep. Wright |
| Date: | 2/5/2018 |
| Impact: | Widens the scope for a felony charge |

Research Analysis

HB 3302 modifies the scope of the crimes of forcible sodomy and rape to include those acts committed against a person who is at least 16 years of age but less than 18 years of age by a person responsible for the health, safety or welfare of the child. The measure provides definition for “person responsible for the health, safety or welfare of the child” to include a parent, legal guardian, custodian, foster parent, any other adult residing in the home of the child, employee of a public or private residential home, institution, facility or day treatment program, or operator or employee of a child care facility. The measure also modifies the crime of lewd acts with a child to include forcing or requiring a child less than 16 years of age to urinate or defecate upon the body or private parts of another person. Any person responsible for the health, safety or welfare of a child who violates the provisions of subsection A, B or C of Title 21, Section 1123, where the victim is at least sixteen years of age but less than eighteen years of age is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than ten years.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 3302 widens the scope for a felony charge punishable by up to 10 years in DOC custody. The average cost of incarceration for DOC is \$52.90/day or \$19,309.70/year. The impact on the state is contingent upon how many individuals are convicted and the length of their sentence.

Prepared By: Kristina King

Other Considerations

None.