HB237
197464-4
By Representatives Simpson, Rowe, Stringer, Brown (C),
Robertson, Wood (D), Fridy, Estes, South and McCutcheon
RFD: Judiciary
First Read: 20-MAR-19
ENROLLED, An Act,

Relating to sex abuse in the second degree; to amend Section 13A-6-67, Code of Alabama 1975; to provide for an enhanced sentence for a violation of sex abuse in the second degree if there is at least a 15-year age difference between the defendant and victim; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-6-67, Code of Alabama 1975, is amended to read as follows:

"§13A-6-67.

(a) A person commits the crime of sexual abuse in the second degree if he or she does either of the following:

(1) he—subject Subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old or;

(2) he, being Being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
"(b) Sexual abuse in second degree is a Class A misdemeanor, except that as provided in subsection (c), and or if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony.

"(c) If a person violates subdivision (a)(2), and he or she is at least 15 years older than the victim, the offense shall be a Class C felony."

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, because the bill defines a new crime or amends the definition of an existing crime.

Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.
Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives
I hereby certify that the within Act originated in and was passed by the House 16-APR-19, as amended.

Jeff Woodard
Clerk

Senate 28-MAY-19 Passed

APPROVED 6-10-19

TIME 2:15

GOVERNOR

Alabama Secretary Of State
Act Num....: 2019-516
Bill Num....: H-237
Recv'd 06/10/19 04:19pmSLF
I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 231

YEAS 94 NAYS 0

JEFF WOODARD, Clerk


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CONFERENCE COMMITTEE

House Conferees

RE-REFERRED RE-COMMITTED

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB

YEAS NAYS

PATRICK HARRIS, Secretary