

2003 SENATE BILL 490

February 24, 2004 – Introduced by Senators LAZICH, DARLING, A. LASEE, KANAVAS and KEDZIE, cosponsored by Representatives STONE, HONADEL, McCORMICK, HINES, NASS, J. WOOD, GRONEMUS, PETTIS, LADWIG, MUSSER and JESKEWITZ. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT to amend** 948.02 (1) and 948.025 (1) (a) of the statutes; **relating to:**
2 sexual assault of a child and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who has sexual contact or sexual intercourse with someone who is under the age of 13 is guilty of first degree sexual assault of a child, which is a Class B felony. A person is also guilty of a Class B felony if he or she engages in a course of conduct that involves three or more violations of the first degree sexual assault of a child law. A person who is convicted of a Class B felony may be sentenced to a term of imprisonment (consisting of a term of confinement in state prison followed by a term of extended supervision) of up to 60 years.

This bill changes each of these two crimes into a Class A felony, which is punishable by a term of life imprisonment. As with other Class A felonies, when a person is sentenced for one of these offenses, the court must specify: 1) that the person is eligible to petition the court for release to extended supervision on a specified date, which must be at least 20 years after the start of the sentence, or 2) that the person may not be released to extended supervision.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

