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3 GIVHAN AMENDMENT TO HB68
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8 On page 3, line 8, after "person;" insert the
9 following:

10 to amend Sections 13A-6-81 and 13A-6-82, Code of
11 Alabama 1975, to further provide for school employees engaging
12 in sexual acts with students;
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14 On page 17, after line 14, insert the following new
15 Section 3 and renumber the remaining sections accordingly:

16 Section 3. Sections 13A-6-81 and 13A-6-82, Code of
17 Alabama 1975, are amended to read as follows:

18 "§13A-6-81.

19 "(a) A person commits the crime of a school employee
20 engaging in a sex act with a student under the age of 19 years
21 or engaging in a sex act with a student who is a protected
22 person, as defined in Section 15-25-1, under the age of 22
23 years if he or she is a school employee and engages in sexual
24 intercourse or sodomy, as defined in Section 13A-6-60, with a
25 student, or student protected person, regardless of whether
26 the student or student protected person is male or female.
27 Consent is not a defense to a charge under this section.

1 "(b) The crime of a school employee engaging in a
2 sex act with a student or student protected person is a Class
3 B felony.

4 "§13A-6-82.

5 "(a) A person commits the crime of a school employee
6 having sexual contact with a student under the age of 19 years
7 or having sexual contact with a student who is a protected
8 person, as defined in Section 15-25-1, under the age of 22
9 years if he or she is a school employee and engages in sexual
10 contact, as defined by Section 13A-6-60, with a student or
11 student protected person, regardless of whether the student is
12 male or female. Consent is not a defense to a charge under
13 this section. The crime of a school employee having sexual
14 contact with a student or student protected person is a Class
15 C felony.

16 "(b) A person commits the crime of a school employee
17 soliciting a sex act with a student under the age of 19 years
18 or soliciting a sex act with a student who is a protected
19 person, as defined in Section 15-25-1, under the age of 22
20 years if he or she is a school employee and solicits,
21 persuades, encourages, harasses, or entices a student or
22 student protected person to engage in a sex act including, but
23 not limited to, sexual intercourse, sodomy, or sexual contact,
24 as defined by Section 13A-6-60. The crime of soliciting a
25 student or a student protected person to perform a sex act is
26 a Class A misdemeanor.