

HB104 ENGROSSED



1 HB104
2 JMMSYYN-2
3 By Representatives Moore (P), Harrison
4 RFD: Judiciary
5 First Read: 06-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-6-65, Code of Alabama 1975; to further provide for the crime of sexual misconduct; to make nonsubstantive, technical revisions to update the existing code language to current style; 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 Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-6-65, Code of Alabama 1975, is amended to read as follows:

"§13A-6-65

(a) A person commits the crime of sexual misconduct if he or she does any of the following:

(1) Engages in sexual intercourse with another ~~person~~ individual, without his or her consent, under circumstances other than those covered by Sections 13A-6-61 and 13A-6-62; or with consent where consent was obtained by the use of any fraud or artifice.



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29 (2) Engages in sodomy with another ~~person~~individual,
30 without his or her consent, under circumstances other than
31 those covered by Sections 13A-6-63 and 13A-6-64; or with
32 consent where consent was obtained by the use of fraud or
33 artifice.

34 (3) Engages in sexual contact with another
35 ~~person~~individual, without his or her consent, under
36 circumstances other than those under Sections 13A-6-66,
37 13A-6-67, and 13A-6-69.1; or with consent where consent was
38 obtained by the use of fraud or artifice.

39 (4) For the purposes of this section, "sexual contact"
40 includes the touching of any part of the body for sexual
41 gratification.

42 (b) Sexual misconduct is a Class A misdemeanor."

43 Section 2. Although this bill would have as its purpose
44 or effect the requirement of a new or increased expenditure of
45 local funds, the bill is excluded from further requirements
46 and application under Section 111.05 of the Constitution of
47 Alabama of 2022, because the bill defines a new crime or
48 amends the definition of an existing crime.

49 Section 3. This act shall become effective on October
50 1, 2024.



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House of Representatives

Read for the first time and referred06-Feb-24
to the House of Representatives
committee on Judiciary

Read for the second time and placed21-Mar-24
on the calendar:
0 amendments

Read for the third time and passed23-Apr-24
as amended
Yeas 90
Nays 0
Abstains 11

John Treadwell
Clerk