

1 HB196
2 126772-2
3 By Representatives Johnson (W), Ball, Collins, McClendon,
4 Long, Robinson (J), McCutcheon, Treadaway, Drake, Galliher,
5 Farley, Williams (P), Oden, Boman, Greer, Patterson, Roberts
6 and Baughn
7 RFD: Judiciary
8 First Read: 08-MAR-11

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 Relating to crimes and offenses; to create the crime
9 of continuous sexual abuse of a child and to provide for
10 penalties; and in connection therewith would have as its
11 purpose or effect the requirement of a new or increased
12 expenditure of local funds within the meaning of Amendment 621
13 of the Constitution of Alabama of 1901, now appearing as
14 Section 111.05 of the Official Recompilation of the
15 Constitution of Alabama of 1901, as amended.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. (a) A person commits the crime of
18 continuous sexual abuse ~~of a child~~ when the person
19 intentionally engages in three or more acts of sexual conduct
20 with a ~~child~~ person who was under the age of 16 years when the
21 first act of sexual conduct occurred.

22 (b) The term "sexual conduct" includes any of those
23 sexual acts defined under Sections 13A-6-61, 13A-6-62,
24 13A-6-63, 13A-6-64, 13A-6-65.1, 13A-6-66, ~~and~~ 13A-6-67, ~~and~~
25 13A-6-69.1, and 13A-13-3 of the Code of Alabama 1975.

26 (c) Continuous sexual abuse shall not include sexual
27 conduct that meet all of the following: (1) the sexual conduct

1 did not involve force and was only a crime due to the ages of
2 the victim and offender; (2) at the time of the sexual
3 conduct, the victim was 13 years of age or older; (3) at the
4 time of the sexual conduct, the offender was not more than 4
5 years older than the victim.

6 ~~(c)~~ (d) Continuous sexual abuse ~~of a child~~ is a
7 Class A felony.

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

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Judiciary 08-MAR-11

Read for the second time and placed
on the calendar 1 amendment 24-MAR-11

Read for the third time and passed
as amended..... 21-APR-11

Yeas 52, Nays 0, Abstains 0

Greg Pappas
Clerk