

84 LSO - 0345

HOUSE BILL 0154

Introduced by:

Douglas W. Chamberlain

[illegible]

CONTINUED ON BACK

HB 154 Motion to Introduce Date Feb. 21, 1984

Roll Call of the House
of the FORTY-SEVENTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓			✓	ODDE	✓			
BAKER	✓				PARKER	✓			
BARLOW		✓			PERKINS	✓			
BLACKWELL	✓				PHELAN	✓			
BROWN	✓				RATLIFF	✓			
BUDD	✓				ROBERTSON	✓			
BURNS	✓				ROTH	✓			
BURTON		✓			SALISBURY	✓			
BYRD	✓				SANDERS	✓			
CHAMBERLAIN	✓				SCHMIDT	✓			
CROSS	✓				SCHWOPE	✓			
DICKEY	✓				SHREVE	✓			
DOBOS	✓				SIDI	✓			
DOUGLAS					SIMONS	✓			
EDWARDS	✓				SIMPSON	✓			
GERINGER	✓				SORENSEN	✓			
GETTER	✓				STAUFFER	✓			
GRANT	✓				STEWART	✓			
HAGEMAN	✓				STRAND	✓			
HANSEN	✓				TIPTON	✓			
HARRISON	✓	✓			TYSDAL	✓			
HENDRICKS	✓				URBIGKIT, D.	✓			
HERBST <i>Ex</i>			✓		URBIGKIT, W.		✓		
HUMPHREY	✓				WALLIS	✓			
JACKSON	✓				WEAVER	✓			
JENSEN	✓				WIEDERSPAHN		✓		
JONES		✓			WOLFLEY	✓			
LARSON, T.	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓				MR. SPEAKER	✓			
MADER	✓				PRESENT				
MALDONADO	✓								AYES <u>57</u>
MARTON	✓								NOES <u>6</u>
MCILVAIN	✓								EXCUSED <u>1</u>
MEENAN	✓								ABSENT <u>1</u>
MICHEL	✓								TOTAL <u>64</u>
MURPHY	✓								LESS <u>2</u>
									57

House of Intro			
_____	To Com No.	_____	
_____	Stand Report Do	Amd _____	Not _____
_____	Com Whole Do	Amd _____	Not _____
_____	2nd Reading Amd	_____	
_____	3rd Reading Amd	Pass _____	Fail _____

Second House			
_____	To Com No.	_____	
_____	Stand Report Do	Amd _____	Not _____
_____	Com Whole Do	Amd _____	Not _____
_____	2nd Reading Amd	_____	
_____	3rd Reading Amd	Pass _____	Fail _____

1984

STATE OF WYOMING

84LSO-0345.01

HOUSE BILL NO. 0154

Sexual assault - victim under 12.

Sponsored by: Representative(s) CHAMBERLAIN

A BILL

for

1 AN ACT to amend W.S. 6-2-302(a)(iii), (iv) and by creating
 2 a new paragraph (v), 6-2-304 and 6-2-306(b)(ii) and by
 3 creating a new paragraph (iii) relating to sexual assault;
 4 providing that an adult who commits sexual assault against
 5 a minor under the age of 12 is guilty of first degree sex-
 6 ual assault; providing a penalty; and providing for an
 7 effective date.

8 Be It Enacted by the Legislature of the State of Wyoming:

9 Section 1. W.S. 6-2-302(a)(iii), (iv) and by creat-
 10 ing a new paragraph (v), 6-2-304 and 6-2-306(b)(ii) and by

HB154

1 creating a new paragraph (iii) are amended to read:

2 6-2-302. Sexual assault in the first degree.

3 (a) Any actor who inflicts sexual intrusion on a
4 victim commits a sexual assault in the first degree if:

5 (iii) The victim is physically helpless, and
6 the actor knows or reasonably should know the victim is
7 physically helpless and the victim has not consented; ~~or~~

8 (iv) The actor knows or reasonably should know
9 that the victim through a mental illness, mental defi-
10 ciency or developmental disability is incapable of
11 appraising the nature of the victim's conduct; ~~or~~ OR

12 (v) THE ACTOR IS AN ADULT AND THE VICTIM IS
13 UNDER THE AGE OF TWELVE (12) YEARS.

14 6-2-304. Sexual assault in the third degree. EXCEPT
15 UNDER CIRCUMSTANCES CONSTITUTING A VIOLATION OF W.S.
16 6-2-302(a)(v), an actor who is at least four (4) years
17 older than the victim and who inflicts sexual intrusion on
18 a victim under the age of sixteen (16) years is guilty of
19 sexual assault in the third degree.

20 6-2-306. Penalties for sexual assault.

1 (b) An actor who is convicted of sexual assault
2 shall be punished by the extended terms of subsection (c)
3 of this section if:

4 (ii) He previously has been convicted of any
5 crime containing the same or similar elements as the
6 crimes defined in W.S. 6-2-302 or 6-2-303; + OR

7 (iii) HE IS BEING SENTENCED FOR FIRST DEGREE
8 SEXUAL ASSAULT AS DEFINED BY W.S. 6-2-302(a)(v).

9 Section 2. This act is effective June 5, 1984.

10

(END)

Séxual assault - victim under 12.

84LSO- 0345.L1

FISCAL NOTE

Anticipated REVENUE to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE		
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST		

No apparent fiscal or personnel impact.

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, February 22, 1984

Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred H. B. No. 9154

respectfully reports same back to the House with the recommendation that

DO PASS.

AYESBrown
Jackson
Odde
Robertson
Tipton
ChamberlainNOESHarrison
WiederspahnEXCUSEDHansen
G. Wright

DOUGLAS W. CHAMBERLAIN,

Chairman