



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: JUD DPA 5-2-0-2-0-0

HB 2242: sexual conduct; minor; classification; sentence

Sponsor: Representative Willoughby, LD 13

Caucus & COW

Overview

Reclassifies sexual conduct with a minor of at least 15 years of age as a class 4 felony and mandates one year of jail time for a person convicted of the crime if placed on probation.

History

A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years of age.

Current law classifies sexual conduct with a minor of at least 15 years of age as a class 6 felony. If the sexual conduct occurred between a minor and an adult in a position of trust, then the offense is classified as a class 2 felony. Sexual conduct with a minor under the age of 15 is classified as a class 2 felony and is punishable as a dangerous crime against children under [A.R.S. § 13-705](#) ([A.R.S. § 13-1405](#)).

Under [A.R.S. § 13-1407](#), subsection E (commonly referred to as the *Romeo and Juliet Law*), it is a defense to a prosecution for sexual conduct with a minor if all of the following circumstances are met:

- 1) the victim is between 15 and 17 years old;
- 2) the defendant is under 19 years old or attending high school and is no more than 24 months older than the victim; and
- 3) the conduct is consensual.

Provisions

1. Raises the felony classification for sexual conduct with a minor of at least 15 years of age from class 6 to class 4. (Sec. 1)
2. Requires a person convicted of sexual conduct with a minor of at least 15 years of age to serve one year of jail time if the convicted person is placed on probation. (Sec. 1)

Amendments

Committee on Judiciary

1. Amends the Romeo and Juliet Law by removing the requirement that the defendant be under 19 years old or attending high school and raising the applicable age difference between the victim and the defendant from 24 months to 3 years.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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