

**1st Sub. H.B. 16**  
**SEXUAL OFFENSES AMENDMENTS**

Senator **Todd D. Weiler** proposes the following amendments:

1. *Page 2, Lines 32 through 49:*

32 76-5-402.1. Rape of a child -- Penalties.

33 (1) (a) As used in this section:

34 (i) "Child" means an individual who is younger than 14 years old.

35 (ii) "Sexual intercourse" means:

36 (A) any touching skin-to-skin, however slight, of an individual's genitals to another  
37 individual's genitals; or

38 (B) any penetration, however slight, of an individual's genitals by another individual's  
39 genitals, whether over or under the clothing.

{ ~~40 (iii) "Simulated intercourse" means rubbing or otherwise stimulating or attempting to~~  
41 ~~stimulate an individual's genitals or pubic area by another individual's genitals or pubic area~~  
42 ~~whether over or under the clothing.~~ }

43 (b) Terms defined in Section 76-1-101.5 apply to this section.

44 (2) ~~(a)~~ An actor commits rape of a child if the actor ~~{~~

45 ~~{ (a) }~~ has sexual intercourse with ~~[an individual who is younger than 14 years old]~~ a  
46 ~~child~~ ~~{~~ ~~or~~

47 ~~(b) intentionally engages in simulated intercourse with a child~~ }

48 ~~[(b) Any touching, however slight, is sufficient to constitute the relevant element of a~~  
49 ~~violation of Subsection (2)(a).]~~

2. *Page 6, Lines 170 through 177:*

170 (2) (a) Under circumstances not amounting to an offense listed in Subsection (4), an  
171 actor commits sexual abuse of a child if the actor:

172 (i) (A) touches ~~[the anus]~~, whether over or under the clothing, the buttocks[;] or pubic  
173 area[; or genitalia] of [any] a child;

174 (B) touches, whether over or under the clothing, the breast of a female child; ~~[or]~~

175 ~~[(C) otherwise takes indecent liberties with a child;]~~

176 (C) touches the anus or genitals of a child over the clothing; ~~{ or }~~ =

(D) rubs or otherwise stimulates, or attempts to stimulate, a child's genitals or pubic area by  
the actor's genitals or pubic area whether over or under the clothing; or

177 ~~{ (D) }~~ (E) otherwise takes indecent liberties with a child whether over or under the clothing;