

HOUSE BILL No. 1080

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-8.

Synopsis: Sexual battery. Makes it sexual battery, a Class D felony, for a person to, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person, touch another person when that person is unaware that the touching is occurring.

Effective: July 1, 2012.

Frye R, Eberhart

January 9, 2012, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1080



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-8 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person who,
 3 with intent to arouse or satisfy the person's own sexual desires or the
 4 sexual desires of another person, touches another person when that
 5 person is:
 6 (1) compelled to submit to the touching by force or the imminent
 7 threat of force; ~~or~~
 8 **(2) unaware that the touching is occurring; or**
 9 ~~(2)~~ **(3)** so mentally disabled or deficient that consent to the
 10 touching cannot be given;
 11 commits sexual battery, a Class D felony.
 12 (b) An offense described in subsection (a) is a Class C felony if:
 13 (1) it is committed by using or threatening the use of deadly force;
 14 (2) it is committed while armed with a deadly weapon; or
 15 (3) the commission of the offense is facilitated by furnishing the
 16 victim, without the victim's knowledge, with a drug (as defined in
 17 IC 16-42-19-2(1)) or a controlled substance (as defined in



1 IC 35-48-1-9) or knowing that the victim was furnished with the
2 drug or controlled substance without the victim's knowledge.

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