

1 HB224
2 154838-3
3 By Representatives Hurst and Johnson (R)
4 RFD: Judiciary
5 First Read: 14-JAN-14

1 "(3) He or she, being 16 years or older, engages in
2 sexual intercourse with a member of the opposite sex who is
3 less than 12 years old.

4 "(b) Rape in the first degree is a Class A felony.

5 "(c) A person who violates subdivision (1) or (2) of
6 this section shall be sentenced to a minimum of 20 years in
7 prison if the victim is 65 years of age or older."

8 "§13A-6-63.

9 "(a) A person commits the crime of sodomy in the
10 first degree if:

11 "(1) He or she engages in deviate sexual intercourse
12 with another person by forcible compulsion; or

13 "(2) He or she engages in deviate sexual intercourse
14 with a person who is incapable of consent by reason of being
15 physically helpless or mentally incapacitated; or

16 "(3) He or she, being 16 years old or older, engages
17 in deviate sexual intercourse with a person who is less than
18 12 years old.

19 "(b) Sodomy in the first degree is a Class A felony.

20 "(c) A person who violates subdivision (1) or (2) of
21 this section shall be sentenced to a minimum of 20 years in
22 prison if the victim is 65 years of age or older."

23 "§13A-7-5.

24 "~~(a) A person commits the crime of burglary in the~~
25 ~~first degree if he or she knowingly and unlawfully enters or~~
26 ~~remains unlawfully in a dwelling with intent to commit a crime~~
27 ~~therein, and, if, in effecting entry or while in dwelling or~~

1 in immediate flight therefrom, the person or another
2 participant in the crime:

3 ~~"(1) Is armed with explosives; or~~

4 ~~"(2) Causes physical injury to any person who is not~~
5 ~~a participant in the crime; or~~

6 ~~"(3) In effecting entry, is armed with a deadly~~
7 ~~weapon or dangerous instrument or, while in the dwelling or~~
8 ~~immediate flight from the dwelling, uses or threatens the~~
9 ~~immediate use of a deadly weapon or dangerous instrument~~
10 ~~against another person. The use of or threatened use of a~~
11 ~~deadly weapon or dangerous instrument does not include the~~
12 ~~mere acquisition of a deadly weapon or dangerous instrument~~
13 ~~during the burglary.~~

14 ~~"(b) Burglary in the first degree is a Class A~~
15 ~~felony.~~

16 ~~"(c) A person who violates subdivision (2) of this~~
17 ~~section shall be sentenced to a minimum of 20 years in prison~~
18 ~~if the victim is 65 years of age or older."~~

19 Section 2. This act shall become effective on the
20 first day of the third month following its passage and
21 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 14-JAN-14

Read for the second time and placed
on the calendar..... 12-FEB-14

Read for the third time and passed
as amended..... 11-MAR-14

Yeas 84, Nays 3, Abstains 1

Jeff Woodard
Clerk