

HB 326 -- Sexual Misconduct

Sponsor: Fitzwater

This bill increases the penalty for the crime of sexual misconduct in the second degree, a class B misdemeanor for a first offense and a class A misdemeanor for a second or subsequent offense, to a class D felony if committed by a person while incarcerated within a Department of Corrections facility. A person commits the crime if he or she exposes his or her genitals or has sexual contact in the presence of a third person under circumstances he or she knows is likely to cause affront or alarm or has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.