HOUSE BILL NO. 1583

AN ACT TO DEFINE AND CREATE THE OFFENSE OF SEXUAL MISCONDUCT; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) No person shall commit sexual misconduct upon any other person. "Sexual misconduct" means the intentional touching or feeling of the body or private parts of any person in a lewd and lascivious manner and without the consent of that person.

(2) No person shall commit sexual misconduct upon a mentally defective, mentally incapacitated or physically helpless person, with or without their consent.

(3) Intentional touching or feeling of the body or private parts shall include the direct, or indirect touching, fondling or manipulating of any part of the genital area, anus, groin, inner thighs, buttocks of a male or female and the female breast by any part of the body or by an object.

(4) Upon conviction for sexual misconduct, the defendant shall be sentenced to imprisonment for not more than five (5) years in the State Penitentiary or a fine of not more than Five Thousand Dollars ($5,000.00), or both.

(5) Second and subsequent convictions will result in the offender registering as a sexual offender in the State of Mississippi.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.