

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2656

1 AN ACT TO CREATE NEW SECTION 97-3-8, MISSISSIPPI CODE OF
2 1972, TO CREATE THE CRIME OF INDECENT ASSAULT AGAINST A PERSON OF
3 ANY AGE IF DONE WITHOUT CONSENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** The following shall be codified as Section
6 97-3-8, Mississippi Code of 1972:

7 97-3-8. (1) A person is guilty of indecent assault if the
8 person knowingly and intentionally touches another person on the
9 breasts, buttocks, genital area or anal area without the consent
10 of the other person who is so touched, and, upon conviction, the
11 person violating this section shall be punished by imprisonment in
12 the county jail for not more than one (1) year; provided, that
13 upon a third or subsequent conviction under this section, whether
14 against the same or another victim and within five (5) years, the
15 defendant shall be guilty of a felony and sentenced to a term of
16 imprisonment of not less than five (5) nor more than ten (10)
17 years.

18 (2) Nothing in this section shall be construed to prevent
19 prosecution of any person under Section 97-5-23, Mississippi Code
20 of 1972.

21 **SECTION 2.** This act shall take effect and be in force from
22 and after July 1, 2004.