

By: Representatives Fillingane, Gunn, Baker
(8th), Staples, Chism, Parker, Formby,
Ellington, Wells-Smith, Lott

To: Judiciary B

HOUSE BILL NO. 868

1 AN ACT TO CREATE THE FELONY OFFENSE OF TOUCHING FOR LUSTFUL
2 PURPOSES; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** (1) Any person, who, for the purpose of
6 gratification of lust shall handle, touch or rub with hands or any
7 part of his or her body or any member thereof, another person
8 without such person's consent shall be guilty of a misdemeanor
9 and, upon conviction thereof, shall be fined in a sum not to
10 exceed One Thousand Dollars (\$1,000.00) or be imprisoned in the
11 county jail not more than one (1) year or be punished by both such
12 fine and imprisonment, at the discretion of the court.

13 (2) Upon a second conviction for an offense under this
14 section, the person so convicted shall be guilty of a felony and,
15 upon conviction, shall be punished by commitment to the Department
16 of Corrections for a term not to exceed five (5) years.

17 **SECTION 2.** This act shall take effect and be in force from
18 and after July 1, 2005.