

**Lost
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for Senate Bill No. 2899

BY: Senator(s) Walls

1 **AMEND line 9 by inserting "knowingly, or under circumstances**
2 **where the person should have known the child's age," after the**
3 **word "older"**

4 **FURTHER, amend line 71 by inserting the following:**

5 **SECTION *.** Section 97-3-95, Mississippi Code of 1972, is
6 amended as follows:

7 97-3-95. (1) A person is guilty of sexual battery if he or
8 she engages in sexual penetration with:

9 (a) Another person without his or her consent;

10 (b) A mentally defective, mentally incapacitated or
11 physically helpless person;

12 (c) A child at least fourteen (14) but under sixteen
13 (16) years of age, if the person is thirty-six (36) or more months
14 older than the child if the person knows, or should have known,
15 the child was under sixteen (16); or

16 (d) A child under the age of fourteen (14) years of
17 age, if the person is twenty-four (24) or more months older than
18 the child.

19 (2) A person is guilty of sexual battery if he or she
20 engages in sexual penetration with a child under the age of
21 eighteen (18) years if the person is in a position of trust or
22 authority over the child including without limitation the child's
23 teacher, counselor, physician, psychiatrist, psychologist,

24 minister, priest, physical therapist, chiropractor, legal
25 guardian, parent, stepparent, aunt, uncle, scout leader or coach.

26 **FURTHER, amend the title to conform.**