

By: Representatives Reynolds, Roberson

To: Judiciary B

HOUSE BILL NO. 605

1 AN ACT TO CREATE THE CRIME OF INDECENT ASSAULT; TO PROVIDE
2 PENALTIES FOR THE CRIME; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** (1) The following terms shall have the following
5 meanings described in this section:

6 (a) "Incapacitated" means a circumstance in which the
7 victim is physically incapable of indicating their unwillingness
8 or willingness to consent or if the victim did not have the mental
9 ability to understand the nature of the sexual act before, after
10 or during the act.

11 (b) "Intimate part" means and includes any sexual
12 organ, such as penis, anus, groin, buttocks of any person and
13 female breasts.

14 (c) "Touches" means the physical contact with the skin
15 of another person whether accomplished directly or through
16 clothing, or with the offender's body parts or a foreign object.

17 **SECTION 2.** A person is guilty of indecent assault if the
18 person intentionally touches an intimate part of another person



19 for the purpose of sexual arousal, sexual gratification or sexual
20 abuse: (a) while that person is unlawfully restrained by the
21 accused or an accomplice, (b) against the will of the person who
22 is touched, (c) while the person who is being touched is
23 unconscious or incapacitated or (d) unlawfully coerced the person
24 being touched. Upon conviction, he or she shall be punished by a
25 fine of not more than Five Hundred Dollars (\$500.00) or by
26 imprisonment in the county jail for not more than six (6) months,
27 or both.

28 **SECTION 3.** This act shall take effect and be in force from
29 and after July 1, 2022.

