

HOUSE BILL NO. HB0075

Sexual molestation of children-penalties.

Sponsored by: Representative(s) Pedersen, Cohee, Harvey
and Hinckley and Senator(s) Peterson

A BILL

for

1 AN ACT relating to crimes and offenses; establishing
2 enhanced penalties for sex offenses involving victims
3 twelve (12) years of age or younger as specified; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 6-2-306(a)(intro), (b)(intro),
9 (d)(intro) and by creating new subsections (e) and (f) is
10 amended to read:

11

12 **6-2-306. Penalties for sexual assault.**

13

14 (a) An actor convicted of sexual assault who does not
15 qualify under the criteria of subsection (b), ~~or (d)~~, (e)
16 or (f) of this section shall be punished as follows:

1

2 (b) An actor who is convicted of sexual assault and
3 who does not qualify under the criteria of subsection (d),
4 (e) or (f) of this section shall be punished by the
5 extended terms of subsection (c) of this section if:

6

7 (d) An actor who is convicted of sexual assault and
8 who does not qualify under subsection (e) or (f) of this
9 section shall be punished by life imprisonment without
10 parole if the actor has two (2) or more previous
11 convictions for any of the following designated offenses,
12 which convictions resulted from charges separately brought
13 and which arose out of separate occurrences in this state
14 or elsewhere:

15

16 (e) An actor convicted of sexual assault involving a
17 victim twelve (12) years of age or younger, who does not
18 qualify under the criteria of subsection (f) of this
19 section, shall be punished as follows:

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21 (i) Sexual assault in the first degree is a
22 felony punishable by imprisonment for not less than twenty-
23 five (25) years nor more than fifty (50) years;

24

1 (ii) Sexual assault in the second degree is a
2 felony punishable by imprisonment for not less than fifteen
3 (15) years nor more than twenty-five (25) years;

4
5 (iii) Sexual assault in the third degree is a
6 felony punishable by imprisonment for not less than five
7 (5) years nor more than fifteen (15) years.

8
9 (f) An actor who is convicted of sexual assault
10 involving a victim twelve (12) years of age or younger
11 shall be punished by life imprisonment without parole if
12 the actor has one (1) or more previous convictions for a
13 crime defined in W.S. 6-2-302 through 6-2-304 or a criminal
14 statute containing the same or similar elements as a crime
15 defined in W.S. 6-2-302 through 6-2-304, if the
16 circumstances of the crime involve a victim who was twelve
17 (12) years of age or younger, which conviction resulted
18 from a charge separately brought and which arose out of a
19 separate occurrence in this state or elsewhere.

20
21 **Section 2.** This act is effective July 1, 2006.

22

23

(END)