

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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| Action: | Do Pass and Be Referred to the Committee on Ways and Means by Prior Reference |
| Vote: | 9 - 0 - 1 |
| Yeas: | Barton, Cameron, Garrett, Krieger, Olson, Smith J., Stiegler, Whisnant, Barker |
| Nays: | 0 |
| Exc.: | Shields |
| Prepared By: | Shannon Sivell, Counsel |
| Meeting Dates: | 2/26, 3/12 |

WHAT THE MEASURE DOES: Enhances the penalty for sex abuse in the second degree when the offender is age 21 years or older and the minor victim's athletic coach. Expands the definition of Sex Abuse 2 to include sexual contact when the offender is 21 years or older and is the minor victim's athletic coach.

ISSUES DISCUSSED:

- Why not include teachers and other people in positions of trust
- Approximate number of cases each year
- Specific instances of coach misconduct
- Difference between sex abuse in the second and third degree

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under the current statutes, a coach that has intimate sexual relations with a child-athlete aged 14-17 years is often presumed to receive a probation sentence. This bill makes two changes to the existing statute. Section 1 would make conduct, which would currently constitute sex abuse in the second degree, a level 7 crime on the sentencing grid block, a level 8 offense if the offender is 21 years or older and the victim's coach.

Section 2 modifies current law so that conduct that would currently constitute sex abuse in the third degree would become *sex abuse in the second degree* if the offender was the victim's coach and 21 years or older. Thus, the conduct would be a level 7 felony instead of a Class A misdemeanor.