

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1044*

Short Title: Sexual Battery.

(Public)

Sponsors: Representatives Hackney; and Insko.

Referred to: Judiciary I.

April 10, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Article 7 of Chapter 14 of the General Statutes is amended by
5 adding a new section to read:

6 "**§ 14-27.15. Sexual battery.**

7 (a) Definitions. – The following definitions apply in this section:

8 (1) 'Intimate parts' means the genital area, groin, anus, inner thighs,
9 buttocks, or breasts.

10 (2) 'Sexual contact' means any contact by a defendant with the intimate
11 parts of a person not married to the defendant for the purpose of sexual
12 gratification of the defendant or for the purpose of degrading or
13 humiliating the person or any contact by a defendant of the intimate
14 parts of the defendant with a person not married to the defendant for
15 the purpose of sexual gratification of the defendant or for the purpose
16 of degrading or humiliating the person.

17 (b) Offense. – A defendant commits the offense of sexual battery if the defendant
18 intentionally subjects another person to sexual contact.

19 (c) Penalty. – A defendant convicted of a first offense under this section is guilty
20 of a Class A1 misdemeanor. A defendant convicted of a second or subsequent offense
21 under this section is guilty of a Class I felony."

22 **SECTION 2.** This act becomes effective December 1, 2003, and applies to
23 offenses committed on or after that date.