

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 912*
Judiciary I Committee Substitute Adopted 4/17/03

Short Title: Sexual Battery.

(Public)

Sponsors:

Referred to:

April 3, 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. G.S. 14-27.1 reads as rewritten:

5 "§ 14-27.1. Definitions.

6 As used in this Article, unless the context requires otherwise:

7 ...

8 (5) 'Sexual contact' means (i) touching the sexual organ, anus, breast,
9 groin, or buttocks of any person, or (ii) a person touching another
10 person with their own sexual organ, anus, breast, groin, or buttocks.

11 (6) 'Touching' as used in subdivision (5) of this section, means physical
12 contact with another person, whether accomplished directly, through
13 the clothing of the person committing the offense, or through the
14 clothing of the victim."

15 SECTION 2. Article 7 of Chapter 14 of the General Statutes is amended by
16 adding a new section to read:

17 "§ 14-27.5A. Sexual battery.

18 (a) A person is guilty of sexual battery if the person, for the purpose of sexual
19 arousal, sexual gratification, or sexual abuse, engages in sexual contact with another
20 person:

21 (1) By force and against the will of the other person; or

22 (2) Who is mentally disabled, mentally incapacitated, or physically
23 helpless, and the person performing the act knows or should
24 reasonably know that the other person is mentally disabled, mentally
25 incapacitated, or physically helpless.

26 (b) Any person who commits the offense defined in this section is guilty of a
27 Class A1 misdemeanor."

28 SECTION 3. This act becomes effective December 1, 2003, and applies to
29 offenses committed on or after that date.