

HOUSE BILL ANALYSIS
HB 2726

Title: An act relating to rape of a child.

Brief Description: Increasing the seriousness level of child rape.

Sponsors: Representatives Dunn, Koster, Boldt, Sump, Smith, Mielke, and Chandler.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Hearing Date: January 27, 1998.

Prepared By: Mark G. Hamilton, Counsel (786-7310).

Background: *Rape of a Child in the First Degree.* The crime of rape of a child in the first degree occurs when a person has sexual intercourse with a child younger than 12 years old, when the perpetrator is at least 2 years older than the victim. It is a class A felony, which currently carries a serious level of XII for sentencing purposes, and is punishable by a minimum sentence of 9 to 23 years and 3 months in prison.

Rape of a Child in the Second Degree. The crime of rape of a child in the second degree occurs when a person has sexual intercourse with a child between 12 and 14 years old, when the perpetrator is at least 3 years older than the victim. It is a class A felony, which currently carries a seriousness level of XI, and is punishable by a minimum of 7 and a half to 20 years in prison.

Summary: *Rape of a Child in the First Degree.* Changes the seriousness level to the maximum level XV, which is punishable by life in prison without parole or death.

Rape of a Child in the Second Degree. Changes the seriousness level to the second highest level of XIV, which is punishable by a minimum sentence of 23 years and 4 months to 40 years in prison.

Rules Authority: No.

Fiscal Note: January 23, 1998.

Effective Date: Ninety days after adjournment of session in which bill is passed.