

6189

Sponsor(s): Senator Oke

Brief Title: Creating a special allegation of sexual motivation in misdemeanor and gross misdemeanor cases.

SB 6189 - DIGEST

Provides that the prosecuting attorney may file a special allegation of sexual motivation in any misdemeanor or gross misdemeanor case.

Requires that, in a misdemeanor or gross misdemeanor case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the accused committed the crime with a sexual motivation. The court shall make a finding of fact of whether or not a sexual motivation was present at the time of the commission of the crime, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to whether or not the defendant committed the crime with a sexual motivation.