



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 1054

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 21, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 1054 creates the offense of unlawful sexual intercourse for any person who subjects another person to sexual penetration when the actor is nineteen years of age or older and the victim is at least twelve but less than sixteen years of age. The bill also provides penalties which correlate with the age difference between the actor and the victim.

The following proposed penalties shall apply:

- Unlawful sexual intercourse is a Class I misdemeanor if the actor is less than four years older than the victim.
- Unlawful sexual intercourse is a Class III felony if the actor is four or more but less than six years older than the victim.
- Unlawful sexual intercourse is a Class II felony if the actor is six or more years older than the victim.

In prosecuting for unlawful sexual intercourse, LB 1054 also provides, with exceptions, an affirmative defense if the actor proves by a preponderance of the evidence that he or she reasonably believed the victim to be at least sixteen years of age at the time of the offense.

Principal Introducer:

Senator Russ Karpisek