

the victim's sexual or intimate parts. Senator Landis, I know this is existing law but what's the different between sexual parts and intimate parts? Or were they just redundant for emphasis?

SPEAKER WITHEM: Senator Landis.

SENATOR LANDIS: I'm not sure that there is a difference because intimate parts is defined as the genital area, groin, inner thighs, buttocks or breasts. Now, sexual parts may be just genitalia.

SENATOR CHAMBERS: But part...it's not where you can say parts is parts.

SENATOR LANDIS: If you do parts is parts...

SENATOR CHAMBERS: I did it.

SENATOR LANDIS: You...

SENATOR CHAMBERS: But it's not a crime yet.

SENATOR LANDIS: Don't do that. Don't do that.

SENATOR CHAMBERS: It's not a crime yet. I won't do it again.

SENATOR LANDIS: All right. All right.

SENATOR CHAMBERS: But, Senator Landis, the example that I was giving, and I think you were otherwise occupied, we were talking about guns earlier, a person could know that he or she is carrying a book bag and intend to carry it, there's a gun in it which is unknown to the person. Yes.

SENATOR LANDIS: Ernie, let me tell you an example where at the present time I would not feel comfortable. It's possible that you could have a mental state, I think, of somebody who was of less than average intelligence that might fall between the crack between an intentional act and a knowing act and yet because of the harm I think perhaps rape is an appropriate outcome here. And since I can't answer that kind of question, I'm uncomfortable consenting to a change at this point. I'm going to resist...I understand the distinction that you made. There are intentional acts which are unknowing.