

## **BILL ANALYSIS**

H.B. 1467  
By: Hamilton  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the statute governing prohibited sexual conduct does not address the act of sexual misconduct against a child if the offender is a guardian or conservator. Many times a child may be in the custody of someone besides a parent or relative and needs this provision to protect them. The law clearly states all prohibited sexual acts but has left out wording of guardian. H.B. 1467 corrects this oversight.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1467 states that sexual intercourse between an individual and any person for whom the individual has been appointed to be a guardian, conservator, or custodian by a court is a criminal offense. The offense of prohibited sexual conduct is punishable as a felony of the third degree.

### **EFFECTIVE DATE**

September 1, 2005.