

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-67.3 of the Code of Virginia, relating to aggravated sexual*
3 *battery.*

4 [H 660]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-67.3 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-67.3. Aggravated sexual battery.

9 A. An accused shall be guilty of aggravated sexual battery if he or she sexually abuses the
10 complaining witness, and11 1. The complaining witness is less than ~~thirteen~~ 13 years of age, or12 2. The act is accomplished ~~against the will of the complaining witness, by force, threat or~~
13 ~~intimidation, or~~ through the use of the complaining witness's mental incapacity ~~or physical helplessness,~~
14 ~~and or~~15 3. *The act is accomplished against the will of the complaining witness by force, threat or*
16 *intimidation or through the use of the complaining witness's physical helplessness, and*17 a. The complaining witness is at least ~~thirteen~~ 13 but less than ~~fifteen~~ 15 years of age, or

18 b. The accused causes serious bodily or mental injury to the complaining witness, or

19 c. The accused uses or threatens to use a dangerous weapon.

20 B. Aggravated sexual battery is a felony punishable by confinement in a state correctional facility for
21 a term of not less than one nor more than ~~twenty~~ 20 years and by a fine of not more than \$100,000.22 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
23 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
24 **be determined for periods of imprisonment in state adult correctional facilities and is \$0 for**
25 **periods of commitment to the custody of the Department of Juvenile Justice.**

ENROLLED

HB660ER