

# HB0148S01 compared with HB0148

{Omitted text} shows text that was in HB0148 but was omitted in HB0148S01

inserted text shows text that was not in HB0148 but was inserted into HB0148S01

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

1 **Child Sexual Abuse Amendments**

. 2025 GENERAL SESSION

. STATE OF UTAH

. **Chief Sponsor: Ryan D. Wilcox**

. Senate Sponsor:

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses an enhancement to certain sexual offenses that are committed against  
6 children.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ creates a sentencing enhancement for certain sexual offenses that are committed against a child if  
the actor:

- 11 • traveled more than 50 miles from the actor's residence to commit the offense; or  
12 • paid a child to travel more than 50 miles from the child's residence for the actor to commit  
the offense.

14 **Money Appropriated in this Bill:**

15 None

16 None

19 **ENACTS:**

20 **76-3-203.19** , Utah Code Annotated 1953 , Utah Code Annotated 1953

# HB0148 compared with HB0148S01

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- 22 *Be it enacted by the Legislature of the state of Utah:*
- 23 Section 1. Section 1 is enacted to read:
- 24 **76-3-203.19. {Increase} Enhancement or increase of sentence if actor traveled to commit a**  
**child sexual offense.**
- 26 (1) As used in this section:
- 27 (a) "Child sexual offense" means one of the following offenses:
- 28 (i) human trafficking of a child as described in Section 76-5-308.5;
- 29 (ii) unlawful sexual activity with a minor as described in Section 76-5-401;
- 30 (iii) sexual abuse of a minor as described in Section 76-5-401.1;
- 31 (iv) unlawful sexual conduct with a 16- or 17-year-old as described in Section 76-5-401.2;
- 33 (v) rape of a child as described in Section 76-5-402.1;
- 34 (vi) object rape of a child as described in Section 76-5-402.3;
- 35 (vii) sodomy on a child as described in Section 76-5-403.1;
- 36 (viii) sexual abuse of a child as described in Section 76-5-404.1;
- 37 (ix) aggravated sexual abuse of a child as described in Section 76-5-404.3;
- 38 (x) unlawful kissing of a child as described in Section 76-5-416.2; or
- 39 (xi) unlawful kissing of a minor as described in Section 76-5-416.4.
- 40 (b) "Principal place of residence" means the single location where an individual's habitation is fixed  
and to which, whenever the individual is absent, the individual has the intention of returning, as  
evidenced by:
- 43 (i) the intent expressed by the individual; and
- 44 (ii) acts of the individual that are consistent or inconsistent with the intent expressed by the individual.
- 46 (2) ~~{ A court shall sentence an }~~ An actor ~~{ under }~~ is guilty of the enhanced offense described in  
Subsection (3) if the trier of fact finds beyond a reasonable doubt that ~~{ the- }~~ an actor, in the course  
of committing, or attempting to commit, a child sexual offense:
- 48 (a) traveled more than 50 miles from the actor's principal place of residence for the purpose of the actor  
committing, or attempting to commit, the child sexual offense; or
- 50 (b) paid for, or otherwise facilitated, the { minor- } victim to travel more than 50 miles from the { minor's  
} victim's principal place of residence, for the purpose of the actor committing, or attempting to  
commit, the child sexual offense.

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- 53 (3) ~~{For}~~ If the trier of fact finds that an actor committed the conduct described in Subsection (2), the  
54 {court} actor is guilty of:
- 54 ~~{(a)}~~ }
- 57 ~~{(i)}~~ {shall, if the applicable sentence for the child sexual offense requires imprisonment for at least a  
minimum term of one year, increase the minimum term of imprisonment by one year; or} }
- 57 ~~{(ii)}~~ {shall, if the applicable sentence for the child sexual offense does not require imprisonment for a  
minimum term of one year, set the minimum term of imprisonment under the sentence as one year;  
and} }
- 56 (a) a class A misdemeanor if the actor is charged with an offense that is designated by law as a class B  
misdemeanor;
- 58 (b) a third degree felony if the actor is charged with an offense that is designated by law as a class A  
misdemeanor;
- 60 (c) a second degree felony if the actor is charged with an offense that is designated by law as a third  
degree felony;
- 60 ~~{(b)}~~ (d) {may increase by five years the maximum sentence applicable by law} a first degree felony  
if the {child sexual} actor is charged with an offense {is} that is designated by law as a second {or  
third} degree felony{.}; or
- 64 (e) a first degree felony if the actor is charged with an offense that is designated by law as a first degree  
felony.
- 66 (4) If an actor is guilty of a first degree felony under Subsection (3)(e), the court shall impose an  
increase of five years to the minimum term of the applicable indeterminate prison term in addition to  
any other penalty the court may impose for a first degree felony.
- 70 (5) Except as otherwise provided by Section 76-3-406 or another provision of the Utah Code, a court  
may, in accordance with Section 77-18-105, suspend the execution of an actor's indeterminate  
prison term imposed under this section.
- 62 ~~{(4)}~~ (6) The prosecuting attorney, or the grand jury if an indictment is returned, shall include notice in  
the information or indictment of a child sexual offense that the offense is subject to an enhancement  
under this section.

76 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

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