

# HB0148S02 compared with HB0148

{Omitted text} shows text that was in HB0148 but was omitted in HB0148S02

inserted text shows text that was not in HB0148 but was inserted into HB0148S02

**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:

2

---

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses an {enhancement} aggravating factor to certain sexual offenses that are committed against children.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ creates {a sentencing enhancement} an aggravating factor for certain sexual offenses that are committed against a child if the actor:

- 11 • traveled more than {50} 45 miles from the actor's residence to commit the offense; or
- 12 • paid a child to travel more than {50} 45 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 HB0148S02

- 21
- 
- 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 of sentence} Aggravating factor 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}~~ For a defendant convicted of a child sexual offense, it is an ~~{actor under~~  
~~Subsection (3)}~~ aggravating factor if the ~~{trier of fact}~~ sentencing court finds that the ~~{actor, in the~~  
~~course of committing, or attempting to commit, a child sexual offense}~~ defendant:
- 48 (a) traveled more than {50} ~~50~~ 45 miles from the {actor's} ~~actor's~~ defendant's principal place of residence for the  
purpose of ~~the actor~~ the defendant committing, or attempting to commit, the child sexual offense; or
- 50 (b) paid for, or otherwise facilitated, the {minor} ~~minor~~ victim to travel more than {50} ~~50~~ 45 miles from  
the {minor's} ~~minor's~~ victim's principal place of residence, for the purpose of the {actor} ~~actor~~ defendant  
committing, or attempting to commit, the child sexual offense.

## HB0148 compared with HB0148S02

- 53 ~~{(3) {For an actor described in Subsection (2), the court:} }~~  
54 ~~{(a) }~~  
55 ~~{(i) {shall, if the applicable sentence for the child sexual offense requires imprisonment for at least a~~  
56 ~~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~~  
58 ~~minimum term of one year, set the minimum term of imprisonment under the sentence as one year;~~  
59 ~~and} }~~  
60 ~~{(b) {may increase by five years the maximum sentence applicable by law if the child sexual offense is~~  
61 ~~a second or third degree felony.} }~~  
62 ~~{(4)} (3) {The prosecuting attorney, or the grand jury if an indictment is returned, shall include~~  
63 ~~notice in the information or indictment} When sentencing a defendant convicted of a child sexual~~  
64 ~~offense {that the offense is} subject to {an enhancement under this section} the aggravating factor~~  
65 ~~described in Subsection (2), the sentencing court shall consider the aggravating factor and include~~  
66 ~~the aggravating factor in the judgment of commitment.~~  
57 (4) In determining the length of imprisonment for a defendant imprisoned for a conviction of an offense  
58 against a child or minor subject to the aggravating factor described in Subsection (2), the Board of  
59 Pardons and Parole shall consider the aggravating factor.

60 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

2-7-25 4:20 PM