

1 **Child Sexual Abuse Amendments**
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Ryan D. Wilcox

2
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
10 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
13 commit the offense.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 ENACTS:

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

21
22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section **76-3-203.19** is enacted to read:

24 **76-3-203.19 . Increase of sentence if actor traveled to commit a child sexual**
25 **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

- 32 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
- 41 habitation is fixed and to which, whenever the individual is absent, the individual has
- 42 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
- 45 by the individual.
- 46 (2) A court shall sentence an actor under Subsection (3) if the trier of fact finds that the
- 47 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
- 49 purpose of committing, or attempting to commit, the child sexual offense; or
- 50 (b) paid for, or otherwise facilitated, the minor to travel more than 50 miles from the
- 51 minor's principal place of residence, for the purpose of the actor committing, or
- 52 attempting to commit, the child sexual offense.
- 53 (3) For an actor described in Subsection (2), the court:
- 54 (a)(i) shall, if the applicable sentence for the child sexual offense requires
- 55 imprisonment for at least a minimum term of one year, increase the minimum
- 56 term of imprisonment by one year; or
- 57 (ii) shall, if the applicable sentence for the child sexual offense does not require
- 58 imprisonment for a minimum term of one year, set the minimum term of
- 59 imprisonment under the sentence as one year; and
- 60 (b) may increase by five years the maximum sentence applicable by law if the child
- 61 sexual offense is a second or third degree felony.
- 62 (4) The prosecuting attorney, or the grand jury if an indictment is returned, shall include
- 63 notice in the information or indictment of a child sexual offense that the offense is
- 64 subject to an enhancement under this section.

65 Section 2. **Effective date.**

66 This bill takes effect on May 7, 2025.