

***Effective 5/7/2025***

**76-5-418 Sexual battery.**

- (1) Terms defined in Section 76-1-101.5 apply to this section.
- (2) An actor commits sexual battery if, under circumstances not amounting to an offense described in Subsection (4), the actor:
  - (a) intentionally touches, whether or not through clothing:
    - (i) the anus, buttocks, or any part of the genitals of another individual;
    - (ii) or the breast of a female individual; and
    - (iii) the actor's conduct is under circumstances that the actor knows or should know will likely cause affront or alarm to the individual touched.
- (3) A violation of Subsection (2) is a class A misdemeanor.
- (4) The offenses referred to in Subsection (2) are:
  - (a) rape under Section 76-5-402;
  - (b) rape of a child under Section 76-5-402.1;
  - (c) object rape under Section 76-5-402.2;
  - (d) object rape of a child under Section 76-5-402.3;
  - (e) forcible sodomy under Subsection 76-5-403(2);
  - (f) sodomy on a child under Section 76-5-403.1;
  - (g) forcible sexual abuse under Section 76-5-404;
  - (h) sexual abuse of a child under Section 76-5-404.1;
  - (i) aggravated sexual abuse of a child under Section 76-5-404.3;
  - (j) aggravated sexual assault under Section 76-5-405; and
  - (k) an attempt to commit an offense under this Subsection (2).

Renumbered and Amended by Chapter 173, 2025 General Session