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State Statutes Related to Jessica's Law

In February 2005, a nine year old Florida girl named Jessica Lunsford was raped and murdered. The accused offender lived across the street from Jessica and had a history of crimes against children. He was required to register as a sex offender under Florida law but failed to keep his registration information current, as required. This case prompted Florida House Bill 1877 later that year, which increased punishment and monitoring of child sex offenders. Two major components of the bill include a mandatory 25 years to life prison sentence for first time offenders convicted of sex crimes against children and the use of global positioning satellites (GPS) or electronic devices to track the location of sex offenders following release. Several states have since passed similar versions of the original Jessica's Law although the title of acts may vary by state.

At least 25 states have enacted mandatory 25 year minimum sentences for first time child sex crime offenders; at least 39 states have enacted GPS or electronic monitoring provisions specific to sex offenders; and at least 23 states have enacted *both* GPS or electronic monitoring and 25 year minimums, identified below by an asterisk next to the state name. Some states have not yet enacted these Jessica's Law components but may have comparable or related provisions; that information is also included below.

State	Statute Citations	Related Bill Numbers	Mandatory 25 Year Minimum 1 st Time Offense Sentencing Provisions & Related Information	Electronic/GPS Monitoring of Sex Offenders
Alabama	§13A-5-6; §15-20-21; § 15-20-26.1	SB 53 (2005)	20 year minimum sentence for Class A and 10 years for a Class B or C felony sex offenses involving a child under age 12 while using a deadly weapon. Numerous criminal sex offenses enumerated in §15-20-21 including sexual abuse, kidnap, enticement.	Requires electronic monitoring of sexual violent predators.
Alaska	§12.55.125; §33.16.150	SB 218 (2006):	SB 218 raised presumptive sentencing ranges for sex related crimes against minors including 1 st 2 nd , 3 rd degree sex assault, sex abuse w/ a minor, prostitution, etc.	Requires GPS as condition of parole/probation when aggravating factors are found - not specific to sex offenders.
Arizona	§13-604.01; §13-1423	SB 1141(1998)	Life sentence for 1 st degree dangerous crimes against children including sexual assault or sexual conduct w/ a minor 12 years or younger & violent sex assault. Provides presumptive sentences ranging from 20-30 years for other sex related crimes.	Not Specified
*Arkansas	§5-14-103; §12-12-923	HB 1004 (2006) HB 1005 (2006)	25 year mandatory minimum sentence for rape of a child under 14 years of age.	Requires electronic monitoring of sexually violent predators for minimum 10 years after release.
*California	Penal Code: §269; 288.7; §3010; §3004	SB 1128 (2006) SB 619 (2005) SB 963 (2005) Prop 83 (2006)	25 years to life mandatory minimum sentence for intercourse or sodomy w/ child 10 years or younger and 15 years to life for oral copulation or sexual penetration w/ child 10 years or younger. 15 years to life w/ consecutive sentencing for additional sex acts w/ a child 14 years or younger.	Requires GPS monitoring of felony sex offenders for life.
Colorado	§18-1.3-406; §18-1.3-401	---	Presumptive sentencing with mandatory ranges provided for sex offenses constituting violent crimes.	Not Specified
*Connecticut	§53a-70c; §53a-90a; §53-21; §53a-30	SB 1458 (2007) HB 5846 (2006)	25 year mandatory minimum for aggravated sexual assault of a minor younger than 13 years. Also provides restrictions on sentence reduction or suspension, requiring specified periods of imprisonment ranging from 2-10 years for crimes including sexual assault of a minor, impairing morals of a child, child pornography, enticing a minor, etc.	Court authorized to impose GPS monitoring as a condition of probation - not specific to sex offenders.



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Delaware	Chapter 11: §4205A	HB 404 (2006)	25 years to life mandatory minimum sentence when victim is younger than 14 years and the crime is rape, continuous sexual abuse of a child, or a dangerous crime against a child.	Not Specified
*Florida	§800.04; §775.082;	HB 1877 (2005)	25 years to life mandatory minimum sentence for lewd or lascivious molestation against a victim less than 12 years of age.	Requires electronic monitoring of specified sex offenders for life.
*Georgia	§16-5-21 §17-10-6.2 §16-6-4 §16-5-21 §42-1-14	HB 1059 (2006)	25 year mandatory minimum sentence for crimes of sexual assault, aggravated assault with intent to rape, incest, kidnapping against a child less than 14 years old; aggravated child molestation, aggravated sodomy with child 13-15 years old; rape; aggravated sexual battery	Requires sexually dangerous predators to wear GPS electronic monitoring device for life.
Hawaii	---	---	---	Not Specified
Idaho	§20-219	HB 381 (2008)	---	Requires sexually violent predators be electronically monitored throughout probation or parole period.
Illinois	§730 ILCS 5/3-3-7; §720 ILCS 5/12-14.1	SB 1397 (2007) HB 4222 (2006)	Provides for extended sentencing periods of 15 and 20 years or minimum 50 years for predatory criminal sexual assault of a child; depending on use of firearm or resulting bodily injury.	Requires sexually violent predators be electronically monitored throughout probation or parole period.
Indiana	§11-13-3-4; §35-50-2-2; §35-50-2-4	SB 125 (2005) HB 1155 (2005) SB 12 (2005)	Provides fixed felony class A sentencing ranges of 20-50 years for specified sex crimes involving deadly force, including sexual misconduct w/ a minor and child molestation. Also limits suspension of class A child molestation sentence only to that in excess of 30 years.	Requires sexually violent predators be electronically monitored, includes GPS.
Iowa	§901A.2; §692A.4A; §903B.1; §903B.2; §902.14	HF 619 (2005)	Provides enhanced and special sentences up to life imprisonment for certain repeat sex offenders.	Requires certain sex offenders be electronically monitored or tracked for at least 5 years as condition of parole or probation.
*Kansas	§21-4642; §21-4643; §22-3717	HB 2576 (2006)	25 years to life mandatory minimum sentence for certain child (under 14) sex offenses including rape, sexual exploitation, sodomy, prostitution, trafficking, etc, with specific exceptions. Provides 40 year minimum for repeat offenders of certain sex offenses. Requires life imprisonment without the possibility of parole for repeat offenders classified as aggravated habitual sex offenders.	Requires electronic monitoring for life of certain sex offenders.
Kentucky	§431.520; §532.080; §532.060;	HB 003 (2006)	Certain sex related crimes classified as class A felonies are subject to indeterminate sentencing ranges from 20-50 years. 25 years to life for a 1 st degree persistent repeat felony sex offender.	Court is authorized to require electronic monitoring of certain sex offenders
*Louisiana	§14:78.1; §14.81.2; §14.81.1; §14.43.1; §15:550; §15:560.4	HB 004 (2006) HB 642 (2008) SB 164 (2004) HB 572 (2006)	25-99 years at hard labor mandatory minimum sentence for sex crimes against a child under 13 years old including: aggravated incest, molestation of a juvenile, sexual battery, pornography involving juveniles, etc.	Requires electronic monitoring for life of certain sex offenders.
Maine	17-A §253; 17-A §1252;	HP 1224 (2006)	Provides definite minimum sentence of 20 years for gross sexual assault of a child under age 12.	Conviction of gross sexual assault requires supervised release including electronic



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	17-A §1231			monitoring for duration.
*Maryland	Crime Code: §3-305; §3-303; §11-724	HB 2A (2006)	25 years to life mandatory minimum sentence for 1 st degree sex offense and rape with a child under age 13.	Parole Commission is authorized to use GPS as part of sex offender supervision.
Massachusetts	265, §23; 265, §47	HB 5234 (2006) HB 4811 (2008)	Provides for a minimum 10 years for rape of a child under 16 using a weapon. Minimum 25 year sentencing similar to "Jessica's Law" was removed from HB 4811 before passage.	Requires GPS monitoring for certain sex offenders throughout probation.
*Michigan	§750.520b; §750.520n	HB 5421 (2006) HB 5531 (2006) H 5532 (2006) SB 709 (2006) SB 1122 (2006)	25 years to life mandatory minimum sentence for 1 st degree sexual conduct with a child under age 13.	Requires lifetime electronic monitoring when convicted of criminal sexual conduct with a child under age 13
Minnesota	§609.3455	---	Provides for mandatory life sentence for egregious first-time offenders convicted of sexual conduct when the factfinder determines that a heinous element exists	Allows use of electronic surveillance on certain sex offenders.
Mississippi	§97-3-101; §99-19-84	SB 2527 (2006)	Minimum 20 years to life for sexual battery of a child under 14 years old.	Allows court to order electronic monitoring on certain sex offenders.
*Missouri	§566.030; §566.060; §566.213; §217.735; §559.106	HB 353 (2005)	Mandatory minimum 25 years for sexual trafficking of a child under age 12. Mandatory minimum 30 years to life for forcible rape or sodomy of a child under age 12.	Requires lifetime electronic monitoring/tracking using GPS for specified sex offenders.
*Montana	§45-5-625; §45-5-503; §45-5-507; §46-18-222; §46-18-206; §46-18-207; §46-23-1010	SB 207 (2005)	Mandatory minimum 25 years to life, with some exceptions, for sex related crimes with a child 12 years or younger including: sexual intercourse without consent, sexual abuse of children, incest, etc.	Requires electronic monitoring using GPS for level 3 sex offenders and authorizes use for other levels of sex offenders.
Nebraska	§28-319.01; §83-174.03	LB 1199 (2006)	Provides for minimum 15 year sentence for 1 st offense of 1 st degree sexual assault of a child under 12 years of age; repeat offenders subject to 25 year minimum.	Authorizes office of parole to use electronic monitoring on certain sex offenders.
*Nevada	§200.366; §176A.410; §213.1243; §213.1255	SB 471 (2007)	Mandatory life imprisonment with eligibility for parole only after 25 years has been served for sexual assault of a child under age 16 and substantial bodily harm did not occur; mandatory life imprisonment w/o parole if substantial bodily injury did occur. Mandatory life imprisonment with eligibility for parole only after 35 years has been served for sexual assault against a child under age 14 and substantial bodily harm did not occur.	Authorizes use of electronic monitoring device that will provide information related to sex offender's geographic location.
New Hampshire	§651:6; §632-A:2	HB 1692 (2006)	Authorizes but does not mandate extended sentencing of 25 years to life for 1 st degree sexual assault or aggravated felonious sexual assault against a child under age 13.	Not Specified
New Jersey	§30:4-123.92	SB 484 (2007)	Several bills have been recently introduced but died in committee. (2006: AB 960, SB 1204. 2004: SB 2594, AB 4177, AB 4067, AB 4068.)	Authorizes satellite-based monitoring of sex offenders
New Mexico	§31-21-10.1; §31-18-23;	---	Provides mandatory life imprisonment for repeat violent sexual offenders, not 1 st time offenders.	Requires GPS monitoring of sex offenders for the duration of parole.



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	§31-18-25			
New York	Penal Code: §130.95; §130.96; §70.08; §70.00; §70.06; §65.10; Exec. §837-r	AB 8939 (2006)	10 years to life minimum sentence for sex related crimes classified as predatory sexual assault & predatory sexual assault against a child less than 13 years old. 25 years to life minimum for persistent violent felony offenders.	Allows use of electronic monitoring on certain sex offenders as a condition of release.
*North Carolina	§14-27.2A §14-27.4A §14-208.40 §14-208.40A	HB 933 (2008) HB 1896 (2006)	Mandatory 25 years to life for sex related offenses against a child under 13 years of age including rape of a child, sexual offense with a child.	Requires satellite based monitoring for life of certain sex offenders.
North Dakota	§12.1-20-03; §25-03.3-24; §12-67-01; §12-67-02	HB 1216 (2007) SB 2029 (2007)	20 year mandatory minimum sentence for gross sexual imposition against a child under 15 but provides that the court may deviate from the minimum when it would impose manifest injustice, in which case a 5 year minimum must be observed.	Authorizes GPS monitoring for sex offender containment, requires for sexually dangerous persons.
Ohio	§2929.13 §2971.03	SB 260 (2007) HB 95 (2006)	25 years to life <i>indefinite</i> minimum sentence for rape of a child under age 13.	Authorizes GPS monitoring for certain sex offenders.
*Oklahoma	22 §991a; 10 §7115; 21 §1021;	SB 631 (2005) HB 1816 (2007)	25 years to life mandatory minimum sentence for sex related crimes against a child under 12 including sexual abuse & exploitation by a parent, child pornography, and sexual battery and lewd acts with a child under 16.	Requires GPS monitoring of habitual or aggravated sex offenders.
*Oregon	§137.700; §163.235;	HB 3511A (2006)	25 year mandatory minimum sentences for 1 st degree sex related offenses against a child under 12 including rape, sodomy, kidnapping, sexual penetration.	Requires lifetime "active tracking" of certain sex offenders.
Pennsylvania	42 §9718.2; 42 §9798.3;	HB 944 (2005)	Provides 10 year minimum sentence for sexual assault of a child under 16; 25 year minimum for 2 nd offenders and life imprisonment for 3 rd time offenders.	Authorizes GPS monitoring for certain sex offenders.
*Rhode Island	§11-37-8.2.1 §11-37-8.2 §13-8-30	SB 2058 (2006) HB 7040 (2006)	25 years to life mandatory minimum sentence for 1 st degree child molestation sexual assault against a child 14 years and under.	Requires lifetime GPS monitoring for convicted child molesters and high risk offenders.
*South Carolina	§16-3-655; §23-3-540	SB 1138 (2006) HB 3328 (2005)	25 years to life mandatory minimum sentence for criminal sexual conduct with a minor under 11 years old. Mandatory life imprisonment or death for subsequent offenders.	Requires active electronic monitoring for certain sex offenders.
South Dakota	§22-22-1.2 §23A-27-12.1; §24-15A-24	SB 208 (2006) SB 148 (2006)	Provides for minimum 15 year sentence for rape of a child under age 13.	Authorizes use of GPS and electronic monitoring for parole and probation - not specific to sex offenders.
*Tennessee	§39-13-522 §40-39-302 §40-39-303	HB 2314 (2007) HB 3182 (2004)	25 years to life mandatory minimum sentence for rape of a child under age 13.	Authorizes use of GPS and electronic monitoring on sex offenders.
*Texas	Penal Code: §21.02 Crim. Proc:	HB 008 (2007)	25 years to life mandatory minimum sentence for continuous Sexual Abuse of a child under age 14.	Authorizes use of GPS and electronic monitoring on sex offenders.



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	§17.43; §42.12			
Utah	§76-5-402.1; §76-1-301 §76-5-403.1 §76-5-402.3	HB 013 (2008) HB 256 (2008)	25 years to life mandatory minimum sentence for sex related crimes against a child under age 14 including rape of a child, object rape of a child, sodomy of a child.	Not Specified
Vermont	13, §3253 28, §351	HB 856 (2006)	Provides presumptive sentencing minimum of 10 years, mandatory minimum 5 years, and mandatory maximum of life for sexual assault on a child under 13 years old.	Includes electronic monitoring in definition of an alternative sentencing program - not specific to sex offenders.
*Virginia	§ 18.2-61; § 18.2-67.1; § 18.2-67.2; §19.2- 295.2:1	HB 846 (2006) SB 559 (2006)	25 year mandatory minimum sentence for rape, forcible sodomy, object sexual penetration against a child under 13 years old when committed in commission of or part of the same course of conduct as kidnapping, abduction, burglary, aggravated malicious wounding, etc. Provides for an additional suspended sentence of 40 years.	Requires GPS tracking for certain sex offenders.
*Washington	§9.94A.712; §9.94A.713	HB 3277 (2006) HB 2407 (2006)	25 year mandatory minimum sentence for predatory offenses of 1 st & 2 nd degree rape of a child and 1 st degree child molestation. Also provides 25 year minimum when victim is less than 15 years of age for 1 st & 2 nd degree rape, indecent liberties by forcible compulsion, 1 st degree kidnapping w/ sexual motivation. 25 year minimum also provided relating to sex crimes involving a person developmentally disabled, mentally disordered, a frail elder, or a vulnerable adult.	Allows for electronic monitoring of sex offenders released as a condition of community custody.
*West Virginia	§61-8B-3; §61-8B-7; §62-11D-1; §62-11D-3	HB 101A (2006)	25-100 year mandatory minimum sentence for 1 st degree sexual assault or sexual abuse against a child less than 12 years of age.	Requires electronic monitoring including GPS of sexually violent predators.
*Wisconsin	§939.616 §301.48	AB 784 (2005) AB 591 (2005)	25 year mandatory minimum prison sentence for sexual assault against a child under age 13 and repeated acts of sexual assault of the same child.	Requires lifetime GPS tracking for certain sex offenders.
Wyoming	§6-2-306 §7-13-1102	---	Provides for mandatory life imprisonment for repeat, not 1 st time, sex offenders convicted of sexual abuse of a minor.	Allows electronic monitoring as part of intensive supervision programs - not specific to sex offenders.