

AN INITIATIVE FOR AN ACT

Concerning sentencing for aggravated offenses against children, and, in connection therewith, establishing mandatory pretrial detention for specified offenses, restricting probation and parole eligibility for offenders convicted of the most serious crimes against children, and authorizing capital punishment for certain offenses involving the intentional killing of a child in conjunction with aggravated sexual offenses where the death penalty is otherwise constitutional.

Be it enacted by the People of the State of San Andreas:

SECTION 1. Declaration.

The People finds and declares that:

- (a) Crimes involving the sexual exploitation, abuse, kidnapping, torture, or murder of children are among the most serious offenses recognized by the laws of this state;
- (b) Protecting children from violent offenders is a compelling governmental interest;
- (c) Persons accused of the most serious crimes against children may present a substantial risk to public safety and may warrant pretrial detention where authorized by law;
- (d) Offenders convicted of the most serious offenses against children should be subject to enhanced sentencing restrictions.

SECTION 2. Definitions.

As used in this act, unless the context otherwise requires:

- (a) "Child" means a person under eighteen years of age.
- (b) "Capital child offense" means an offense described in Section 7 of this act.
- (c) "Qualifying offense" means:

Sexual assault on a child;

Aggravated sexual assault on a child;

Sexual exploitation of a child involving production of child sexual abuse material;

Kidnapping of a child with intent to commit a sexual offense;

Human trafficking of a child for sexual servitude;

Murder of a child committed during or in furtherance of a qualifying sexual offense.

SECTION 3. In the San Andreas Revised Statutes, add Part 7 to Article 4 of Title 16 as follows:

PART 7

PRETRIAL DETENTION FOR OFFENSES AGAINST CHILDREN

16-4-701. Mandatory detention for qualifying offenses.

(1) A defendant charged with a qualifying offense against a child shall not be released on bond or bail pending trial unless the court conducts a detention hearing.

(2) The court shall order the defendant detained pending trial unless it finds by clear and convincing evidence that:

(a) the proof is not evident or the presumption is not great; and

(b) the defendant does not present a substantial danger to any child or to the community.

(3) For purposes of this part, "qualifying offense" includes:

(a) Sexual assault on a child;

(b) Aggravated sexual assault on a child;

(c) Sexual exploitation of a child involving production of child sexual abuse material;

(d) Human trafficking of a child for sexual servitude;

(e) Kidnapping of a child with intent to commit a sexual offense;

(f) Murder committed during or in furtherance of any offense listed in this subsection.

SECTION 3. In the San Andreas Revised Statutes, add Part 8 to Article 22 of Title 18 as follows:

PART 8

ENHANCED SENTENCING FOR OFFENSES AGAINST CHILDREN

18-22-801. Ineligibility for probation.

Notwithstanding any other provision of law, a defendant convicted of a qualifying offense against a child is not eligible for:

- (a) Deferred judgment;
- (b) Deferred sentence;
- (c) Community corrections;
- (d) Probation.

18-22-802. Consecutive sentencing.

If a defendant is convicted of two or more qualifying offenses arising from separate criminal acts or involving separate child victims, the sentencing court shall order each sentence to be served consecutively.

18-22-803. Capital child offense.

(1) A person commits a capital child offense if the person intentionally causes the death of a child while:

- (a) committing aggravated sexual assault on a child; or
- (b) kidnapping a child for the purpose of committing a qualifying sexual offense.

(2) Upon conviction, the sentence shall be:

- (a) Death, if authorized by the Constitution of the State of San Andreas, the Constitution of the United States, and other applicable law; or
- (b) Life imprisonment without the possibility of parole.

SECTION 4. In the San Andreas Revised Statutes, amend Title 17, Article 36 concerning parole eligibility by adding the following section:

17-36-1101. Parole restrictions for qualifying child offenses.

- (1) A person convicted of aggravated sexual assault on a child shall not become eligible for parole until serving at least ninety percent of the imposed sentence.
- (2) A person sentenced to life imprisonment without parole pursuant to section 18-22-803 shall not be eligible for parole.

SECTION 5. In the San Andreas Revised Statutes, amend Title 19 by adding the following section:

19-42-2101. Mandatory no-contact orders.

Upon filing of charges for a qualifying offense against a child, the court shall issue a no-contact order prohibiting the defendant from contacting:

- (a) the child victim;
- (b) the child's immediate family; and
- (c) any witness identified by the prosecution.

SECTION 6.

If any provision of this act is held invalid, such invalidity shall not affect the remaining provisions of this act.

SECTION 7. Applicability.

This act applies to offenses committed on or after January 1, 2027.

SECTION 8. Effective date.

This act shall take effect January 1, 2027, if approved by the voters at the November 2026 general election.