

**CALIFORNIA, FLORIDA AND TEXAS CODE DEFINITIONS**

**California Code § 285. Adultery and fornication by persons forbidden to marry; incest.**

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the

the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat.

*accessed on the Code of California web site at <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=pen>.*

**The Codification of Criminal Sexual Assault is located in Fl. Code §794 and can be accessed on the Code of Florida website at:**

The penetration of the female sex organ by the male sex organ, however slight; emission of semen is not required.

**Florida Code § 800.04 and 794.05. Statutory Rape: Carnal Knowledge of a Minor Under 16 Years of Age**

A child under 16 years of age cannot consent to sexual activity, regardless of the age of the defendant. A child who is at least 16 years of age and less than 18 years of age cannot consent to sexual activity if the defendant is 24 years of age or older.

given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or given solely to detect the commission of an offense.

**Texas Code § 22.011. Sexual Assault**

- a) A person commits an offense if the person:
  - (1) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
    - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
    - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
  - (2) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of a child by any means;
    - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
    - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
    - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
    - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor
  - (F) (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
    - b) the actor compels the other person to submit or participate by the use of physical force or violence;
    - c) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other per(s)2(th)4(s)002 Tw ;TB2(t th)4(e o)3(th)14(er)62 Tc -0.

violence;

character as spiritual adviser; or

l) the actor is an associate of a facility where the other person is a resident, unless the associate and resident are formally or informally married to each other under Chapter 2, Family Code.

**Texas Code** has no criminal statute against incest.

**Texas Code § 25.02. Prohibited Sexual Misconduct**

(a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:

- 1) the actor's ancestor or descendant by blood or adoption;
- 2) the actor's current or former stepchild or stepparent;
- 3) the actor's parent's brother or sister of the whole or half-blood;
- 4) the actor's brother or sister of the whole or half blood or by adoption;
- 5) the children of the actor's brother or sister of the whole or half blood or by adoption; or
- 6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.

(b) For purposes of this section:

(1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person.

(2) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.

(c) An offense under this section is a felony of the third degree, unless the offense is committed under Subsection

(a) (1), in which event the offense is a felony of the second degree.

**Texas Code § 21.11. Statutory Rape: Indecency with a Child**

(a) A person commits an offense if, with a child younger than 17 years of age, whether the child is of the same or opposite sex, the person:

(1) engages in sexual contact with the child or causes the child to engage in sexual contact; or

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part of the genitals of a child; or

(j) any touching of any part of the body of a child, including touching through clothing, with the anus, breast, or any part of the genitals of a person.

**Texas Code § 22.01. Domestic Violence: Assault and Battery Against a Family or Household Member**

(a) A person commits an offense if the person:

(b)

