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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **3465**

03/08/2018 Authored by Hortman, Pinto, Olson, Freiberg, Omar and others  
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act  
1.2 relating to public safety; eliminating the voluntary relationship defense for criminal  
1.3 sexual conduct crimes; repealing Minnesota Statutes 2016, section 609.349.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **REPEALER.**

1.6 Minnesota Statutes 2016, section 609.349, is repealed.

1.7 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to crimes  
1.8 committed on or after that date.

**609.349 VOLUNTARY RELATIONSHIPS.**

A person does not commit criminal sexual conduct under sections 609.342, clauses (a) and (b), 609.343, clauses (a) and (b), 609.344, clauses (a), (b), (d), (e), and (n), and 609.345, clauses (a), (b), (d), (e), and (n), if the actor and complainant were adults cohabiting in an ongoing voluntary sexual relationship at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for legal separation or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by one legal spouse against the other.