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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3184

03/01/2018 Authored by Kunes-Podein, O'Neill, Pinto, Moran, Dehn, R., 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 exclusion from fifth degree criminal sexual
1.3 conduct for nonconsensual, intentional touching of another person's clothed buttock;
1.4 amending Minnesota Statutes 2016, section 609.3451, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 609.3451, subdivision 1, is amended to read:

1.7 Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct in the fifth
1.8 degree:

1.9 (1) if the person engages in nonconsensual sexual contact; or

1.10 (2) the person engages in masturbation or lewd exhibition of the genitals in the presence
1.11 of a minor under the age of 16, knowing or having reason to know the minor is present.

1.12 For purposes of this section, "sexual contact" has the meaning given in section 609.341,
1.13 subdivision 11, paragraph (a), clauses (i), (iv), and (v), but does not include the intentional
1.14 touching of the clothing covering the immediate area of the buttocks. Sexual contact also
1.15 includes the intentional removal or attempted removal of clothing covering the complainant's
1.16 intimate parts or undergarments, and the nonconsensual touching by the complainant of the
1.17 actor's intimate parts, effected by the actor, if the action is performed with sexual or
1.18 aggressive intent.