

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 2732

(SENATE AUTHORS: PAPPAS, Port, Dibble, Bigham and Latz)

DATE	D-PG	OFFICIAL STATUS
02/03/2022	4868	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy
02/07/2022	4930	Authors added Dibble; Bigham
03/03/2022	5207	Author added Latz

1.1A bill for an act

1.2relating to public safety; repealing the crimes of sodomy, fornication, and adultery;

1.3repealing Minnesota Statutes 2020, sections 609.293, subdivisions 1, 5; 609.34;

1.4609.36.

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

1.6Section 1. **REPEALER.**

1.7Minnesota Statutes 2020, sections 609.293, subdivisions 1 and 5; 609.34; and 609.36,

1.8are repealed.

1.9**EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes

1.10committed on or after that date.

609.293 SODOMY.

Subdivision 1. **Definition.** "Sodomy" means carnally knowing any person by the anus or by or with the mouth.

Subd. 5. **Consensual acts.** Whoever, in cases not coming within the provisions of sections 609.342 or 609.344, voluntarily engages in or submits to an act of sodomy with another may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

609.34 FORNICATION.

When any man and single woman have sexual intercourse with each other, each is guilty of fornication, which is a misdemeanor.

609.36 ADULTERY.

Subdivision 1. **Acts constituting.** When a married woman has sexual intercourse with a man other than her husband, whether married or not, both are guilty of adultery and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Subd. 2. **Limitations.** No prosecution shall be commenced under this section except on complaint of the husband or the wife, except when such husband or wife lacks the mental capacity, nor after one year from the commission of the offense.

Subd. 3. **Defense.** It is a defense to violation of this section if the marital status of the woman was not known to the defendant at the time of the act of adultery.