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The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

Adoption of Report: Placed on the General Register

Read for the Second Time

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A bill for an act

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

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

609.36.

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

Section 1. **REPEALER.**

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

are repealed.

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

committed 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.