

1 S.162

2 Introduced by Senator Sears

3 Referred to Committee on

4 Date:

5 Subject: Child welfare; definitions; sexual abuse

6 Statement of purpose: This bill proposes to amend the definition of sexual
7 abuse for purposes of the state child protection registry to exclude consensual
8 sexual conduct between a person who is less than 19 years old and a child who
9 is at least 15 years old.

10 An act relating to consensual sexual conduct between minors

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 33 V.S.A. § 4912(8) is amended to read:

13 (8) "Sexual abuse" consists of any act or acts by any person involving
14 sexual molestation or exploitation of a child, ~~including but not limited to~~
15 incest, prostitution, rape, sodomy, or any lewd and lascivious conduct
16 involving a child. Sexual abuse also includes the aiding, abetting, counseling,
17 hiring, or procuring of a child to perform or participate in any photograph,
18 motion picture, exhibition, show, representation, or other presentation which,
19 in whole or in part, depicts a sexual conduct, sexual excitement, or
20 sadomasochistic abuse involving a child. This definition shall not apply if the

- 1 person is less than 19 years old, the child is at least 15 years old, and the
- 2 conduct is consensual.