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S.35

Introduced by Senator Sears

Referred to Committee on

Date:

Subject: Crimes; lewdness and prostitution; nonconsensual sexual conduct

Statement of purpose of bill as introduced: This bill proposes to establish a new misdemeanor crime of nonconsensual sexual conduct.

An act relating to nonconsensual sexual conduct

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

Sec. 1. 13 V.S.A. § 2601a is added to read:

§ 2601a. NONCONSENSUAL SEXUAL CONDUCT

(a) As used in this section:

(1) "Consent" shall have the same meaning as provided in section 3251 of this title.

(2) "Intimate parts" shall refer to the pubic region, the anus, the entire breast, the buttock region, and any portion of the thigh above the knee.

(3) "Touch" shall refer to either intentional bodily contact, regardless of the presence of clothing, or the actor's use of a foreign object against another's body, regardless of the presence of clothing.

1 (b) No person shall, for no legitimate reason:

2 (1) touch the genitalia or intimate parts of another without the consent of
3 the other person; or

4 (2) expose his or her genitalia in public in a sexual manner with the
5 intent of arousing, appealing to, or gratifying his or her lust, passions, or sexual
6 desires, or to sexually arouse or outrage another person without the consent of
7 the other person.

8 (c) A person who violates this section shall be:

9 (1) imprisoned for not more than one year or fined not more than
10 \$300.00, or both, for a first offense.

11 (2) imprisoned for not more than two years or fined not more than
12 \$1,000.00, or both, for a second or subsequent offense.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on July 1, 2017.