

HOUSE RESEARCH

Bill Summary

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This bill expands the felony 5th degree criminal sexual conduct (CSC) offense. Under the bill, a person who engages in either (1) nonconsensual sexual contact with another person or (2) masturbation or lewd exhibition of the genitals in front of a minor under the age of 16 may be sentenced to up to 10 years in prison if the person has a qualifying prior offense. The list of qualifying prior offenses is as follows: (1) criminal sexual conduct 1-5 (§§ 609.242 to 609.3451); (2) criminal sexual predatory conduct (§ 609.3453); (3) solicitation of a child (§ 609.52); (4) indecent exposure (§ 617.23); (5) use of a child in a sexual performance (§ 617.246); (5) child pornography (§ 617.247); or (6) a similar qualifying offense from another state. A juvenile adjudication is not a prior offense for purposes of this offense.

The bill also authorizes a court to stay a sentence for up to 6 years for a person who commits a gross misdemeanor 5th degree CSC offense.