

**File Number:** H.F. 3203  
**Version:** As introduced

**Date:** March 5, 2018

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**Subject:** School worker criminal sexual misconduct

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### Overview

This bill establishes two new felony-level criminal sexual conduct offenses for school employees and independent contractors who engage in certain inappropriate relationships with students between the ages of 16-21.

#### Section

- 1 **Secondary school.** Defines “secondary school” for purposes of the 3<sup>rd</sup> and 4<sup>th</sup> degree criminal sexual conduct statutes in chapter 609.
- 2 **Independent contractor.** Defines “independent contractor” for purposes of the 3<sup>rd</sup> and 4<sup>th</sup> degree criminal sexual conduct statutes in chapter 609.
- 3 **Criminal sexual conduct – 3<sup>rd</sup> degree.** Establishes a new third degree criminal sexual conduct offense for secondary school employees and independent contractors who sexually penetrate a student enrolled at the perpetrator’s school, the student is between the age of 16 and 21, and the actor is in a position of authority over the student. A violation of this provision is a felony and subjects the offender to incarceration for up to 15 years. Neither mistake of age nor the consent of the student is a defense.
- 4 **Criminal sexual conduct – 4<sup>th</sup> degree.** Establishes a new fourth degree criminal sexual conduct offense for secondary school employees and independent contractors who have sexual contact with a student enrolled at the perpetrator’s school, the student is between the age of 16 and 21, and the actor is in a position of authority over the student. A violation of this provision is a felony and subjects the offender to incarceration for up to 10 years. Neither mistake of age nor the consent of the student is a defense.