

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.

Summary

Section	Description
1	<p>Position of authority.</p> <p>Clarifies that the term “position of authority” extends to victims who are 18-21 for purposes of sections 4 and 5.</p>
2	<p>Secondary school.</p> <p>Defines “secondary school” for purposes of the 3rd and 4th degree criminal sexual conduct statutes in chapter 609.</p>
3	<p>Independent contractor.</p> <p>Defines “independent contractor” for purposes of the 3rd and 4th degree criminal sexual conduct statutes in chapter 609.</p>
4	<p>Criminal sexual conduct – 3rd degree.</p> <p>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.</p>
5	<p>Criminal sexual conduct – 4th degree.</p> <p>Establishes a new fourth degree criminal sexual conduct offense for secondary school employees and independent contractors who have sexual <u>contact</u> 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</p>

Section	Description
	subjects the offender to incarceration for up to 10 years. Neither mistake of age nor the consent of the student is a defense.



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