HOUSE RESEARCH

Bill Summary

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Subject: Criminal Sexual Conduct Crime Involving Special Transportation Providers

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Overview

This bill creates the crimes of third and fourth degree criminal sexual conduct for engaging in sexual penetration or sexual contact, respectively, with an individual who uses special transportation services when the conduct occurs during or immediately before or after the person is transported.

Section

1 **Special transportation.** Defines "special transportation service" in the criminal code's sexual conduct law. This definition is used in sections 2 and 3 of the bill.

2 **Third degree criminal sexual conduct; crime defined.** Prohibits an actor who provides or who is an agent of an entity providing special transportation services from engaging in sexual penetration with a person who uses the service when the act occurred during or immediately before or after transporting the individual. Consent by the complainant is not a defense. This conduct constitutes criminal sexual conduct in the third degree and is punishable by up to 15 years imprisonment, a fine of up to $30,000, or both.

3 **Fourth degree criminal sexual conduct; crime defined.** Prohibits an actor who provides special transportation services from engaging in sexual contact with a person who uses the service when the act occurred during or immediately before or after transporting the individual. Consent by the complainant is not a defense. This conduct constitutes criminal sexual conduct in the fourth degree and is punishable by up to ten years imprisonment, a fine of up to $20,000, or both.

4 Provides that a person does not engage in criminal sexual conduct if the person engages in the conduct set forth in section 2 or 3 if the actor and complainant were in one of certain designated types of voluntary relationships at the time.

5 **Effective date.** August 1, 2002, for crimes committed on or after that date.