

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 3775

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Version: As introduced

Authors: Olin and others

Subject: Sexual assault provisions expanded

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Section

- 1** **Sexual conduct.** Expands the definition of “sexual contact” to include the “intentional touching by the actor of the complainant’s body or clothing covering the complainant’s body with seminal fluid or sperm.”
- 2-3** **Crime defined.** Expands the crimes of first- and second-degree criminal sexual conduct to include force or coercion by the actor or an accomplice.
- 4** **Limitations.** Modifies the criminal statute of limitations for criminal sexual conduct crimes committed against minors. Currently, the complaint must be filed within nine years of the commission of the offense, or within three years of reporting the offense to law enforcement if the victim failed to report the offense within the nine-year period.

Under this section, the statute of limitations is the later of nine years after the commission of the offense or three years after the offense was reported to law enforcement.

In a recent case, the Minnesota Court of Appeals noted that because the current three-year provision does not apply unless the victim fails to report the offense within the nine-year period, the following situation could occur. If a victim’s report of abuse is received five minutes before midnight on the last day of the nine-year limitation period, prosecution would be barred because there would not be enough time to file a complaint. On the other hand, if the victim’s report is received five minutes after midnight, the prosecution would have three years to file the complaint.