

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 22**

(SENATE AUTHORS: MARTY, Hall, Limmer, Laine and Cwodzinski)

DATE  
01/10/2019

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act  
1.2 relating to public safety; eliminating the exclusion from fifth degree criminal sexual  
1.3 conduct for nonconsensual, intentional touching of another person's clothed buttock;  
1.4 amending Minnesota Statutes 2018, section 609.3451, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 609.3451, subdivision 1, is amended to read:

1.7 Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct in the fifth  
1.8 degree:

1.9 (1) if the person engages in nonconsensual sexual contact; or

1.10 (2) the person engages in masturbation or lewd exhibition of the genitals in the presence  
1.11 of a minor under the age of 16, knowing or having reason to know the minor is present.

1.12 For purposes of this section, "sexual contact" has the meaning given in section 609.341,  
1.13 subdivision 11, paragraph (a), clauses (i), (iv), and (v), ~~but does not include the intentional~~  
1.14 ~~touching of the clothing covering the immediate area of the buttocks.~~ Sexual contact also  
1.15 includes the intentional removal or attempted removal of clothing covering the complainant's  
1.16 intimate parts or undergarments, and the nonconsensual touching by the complainant of the  
1.17 actor's intimate parts, effected by the actor, if the action is performed with sexual or  
1.18 aggressive intent.

1.19 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes  
1.20 committed on or after that date.