

SENATE FILE NO. SF0129

Sexual assault-school employee.

Sponsored by: Senator(s) Boner, Anselmi-Dalton, Driskill,
Landen, Nethercott and Wasserburger and
Representative(s) Barlow, Blake, Clausen,
Clem, Kirkbride, Lindholm and Pelkey

A BILL

for

1 AN ACT relating to crimes and offenses; specifying
2 additional conduct constituting sexual assault in the
3 second or third degree; providing for penalties; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 6-2-303(a)(vii), (viii) and by
9 creating a new paragraph (ix) and 6-2-304(a)(iii) are
10 amended to read:

11

12 **6-2-303. Sexual assault in the second degree.**

13

1 (a) Any actor who inflicts sexual intrusion on a
2 victim commits sexual assault in the second degree if,
3 under circumstances not constituting sexual assault in the
4 first degree:

5
6 (vii) The actor is an employee, independent
7 contractor or volunteer of a state, county, city or town,
8 or privately operated adult or juvenile correctional
9 system, including but not limited to jails, penal
10 institutions, detention centers, juvenile residential or
11 rehabilitative facilities, adult community correctional
12 facilities or secure treatment facilities and the victim is
13 known or should be known by the actor to be a resident of
14 such facility or under supervision of the correctional
15 system;~~or~~

16
17 (viii) The actor inflicts sexual intrusion in
18 treatment or examination of a victim for purposes or in a
19 manner substantially inconsistent with reasonable medical
20 practices;~~or~~ or

21
22 (ix) The actor is an employee or volunteer of a
23 public or private school attended by students in any grade

1 kindergarten through twelfth who, by virtue of their
2 employment or volunteer relationship with the school, has
3 interaction with the victim who is a student or participant
4 in the activities of the school and is more than four (4)
5 years older than the victim.

6
7 (b) A person is guilty of sexual assault in the
8 second degree if he subjects another person to sexual
9 contact and causes serious bodily injury to the victim
10 under any of the circumstances listed in W.S. 6-2-302(a) (i)
11 through (iv) or paragraphs (a) (i) through (vii) and (ix) of
12 this section.

13
14 **6-2-304. Sexual assault in the third degree.**

15
16 (a) An actor commits sexual assault in the third
17 degree if, under circumstances not constituting sexual
18 assault in the first or second degree:

19
20 (iii) The actor subjects a victim to sexual
21 contact under any of the circumstances of W.S.
22 6-2-302(a) (i) through (iv) or 6-2-303(a) (i) through (vii)

1 and (ix) without inflicting sexual intrusion on the victim
2 and without causing serious bodily injury to the victim.

3

4 **Section 2.** This act is effective July 1, 2017.

5

6

(END)