

S.F. No. 0050

Sexual assault-position of authority.

Sponsored By: Senator(s) Boner, Driskill and Wasserburger and
Representative(s) Barlow, Cannady, Kirkbride
and Lindholm

AN ACT relating to crimes and offenses; creating a new sexual assault offense; specifying elements of the offense; specifying penalties; limiting defenses as specified; modifying the definition of position of authority; and providing for an effective date.

1/26/2016 Bill Number Assigned
2/5/2016 S Received for Introduction
2/9/2016 S Introduced and Referred to S01 - Judiciary 27-3-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Nicholas, P., Pappas, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Case, Meier, Perkins

Ayes 27 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2016 S01 - Judiciary:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Christensen, Esquibel, F., Hicks, Kinskey, Von Flatern

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2016 S Placed on General File

SF0050SS001/ADOPTED

Page 2-line 11 Delete "in this state" insert "district established pursuant to W.S. 21-3-101 et seq.".

Page 2-line 19 Delete "knows that the victim" insert "has actual contact or interaction with the victim by virtue of the person's employment or service in the school or district.".

Page 2-lines 20 and 21 Delete. CHRISTENSEN, CHAIRMAN

2/18/2016 S COW:Passed

SF0050S2001/ADOPTED

Page 1-line 3 Before "modifying" insert "limiting defenses as specified;".

Page 1-line 10 After "(b)" insert "," delete "and"; after "6-2-306(a)(iii)" insert "and 6-2-307(a) and (b)".

Page 4-after line 10 Insert:

6-2-307. Evidence of marriage as defense.

(a) The fact that the actor and the victim are married to each other is not by itself a defense to a violation of W.S. 6-2-302(a)(i), (ii) or (iii), ~~or 6-2-303(a)(i), (ii), (iii), (vi) or (vii)~~ or 6-2-304(a)(iv).

(b) Consent of the victim is not a defense to a violation of W.S. 6-2-303(a) (vii) or 6-2-304(a) (iii) or (iv). BONER

2/19/2016 S 2nd Reading:Passed
2/22/2016 S 3rd Reading:Passed 22-8-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Boner, Burns, Christensen, Coe, Cooper, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Kinskey, Landen, Meier, Pappas, Peterson, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Bebout, Case, Craft, Johnson, Nicholas, P., Perkins, Ross, Rothfuss

Ayes 22 **Nays** 8 **Excused** 0 **Absent** 0 **Conflicts** 0

2/23/2016 H Received for Introduction
2/23/2016 H Introduced and Referred to H01 - Judiciary
2/25/2016 H01 - Judiciary:Recommend Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Baker, Esquibel, K., Halverson, Kroeker, Krone, Miller, Pelkey, Pownall, Winters

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/25/2016 H Placed on General File
2/29/2016 H Did Not Consider in COW