

Law and Justice Interim Committee Proposed Legislation for 2017 Legislature

Bill #	LJIC#	Short Title	Description	Sponsor
SB 29	lj01	Revising laws regarding sexual crimes	Revises the definition of “consent” so that proof of force is no longer required; instead, “consent” is defined in a positive fashion requiring “words or overt actions indicating freely given agreement”. The revised definition is similar to the Uniform Code of Military Justice and the definition of “consent” used in Wisconsin. Creates a new crime of aggravated sexual intercourse without consent, which requires proof of force and has more significant penalties.	Senator Diane Sands
SB 26	lj03	Revising laws regarding sexual intercourse without consent	Provides a maximum penalty of 5 years in prison for sexual intercourse without consent when: (1) an offender is 18 years of age or younger and the victim is 14 years of age or older, (2) the offense is a first offense, and (3) no force was used. Provides that an 18-year-old who is convicted of sexual intercourse without consent involving a victim who is age 14 or older does not have to register as a sex offender as long as force was not used.	Senator Sue Malek
HB 129	lj02b	Revising laws related to privacy in communications	Creates a new subsection under the crime of privacy in communications for distributing a visual or print medium of a person who is identifiable, engaged in sexual conduct, and who has not consented to the creation of the visual or print medium. The maximum fine for a second offense was also raised from \$1,000 to \$5,000.	Representative Ellie Hill
SB 30	lj04	Revising laws related to criminal statutes of limitations	Extends the statute of limitations for sex crimes with victims who are under the age of 18 years to 20 years after the victim reaches the age of 18.	Senator Diane Sands
SB 17	lj05	Revising laws related to juvenile offenders and registration as a sex offender	Revises the Youth Court Act so that sexual offenders who are juveniles when convicted do not have to register as sex offenders unless the court finds that registration is necessary to protect the public.	Senator Nels Swandal
SB 22	lj06	Revise sexual assault and parental rights laws	Allows for termination of the parent-child legal relationship by court order if the parent was convicted or if the court finds by clear and convincing evidence that the parent committed an act of sexual assault, rape, or incest and the child was born as a result of that act. Creates a process by which the victim of the act can file a petition with the court to terminate the parental rights of the other parent.	Senator Sue Malek
Not introduced		Revise incest laws (LC 303)	Revises the crime of incest to provide that consent is not a defense under this section if the victim is less than 18 years old.	Representative Jenny Eck