

HOUSE BILL NO. HB0060

Sex offenses by corrections personnel.

Sponsored by: Representative(s) Buchanan, Gingery, Mercer and Throne and Senator(s) Decaria and Dockstader

A BILL

for

1 AN ACT relating to crimes and offenses; establishing a
2 crime for sex offenses committed by corrections staff
3 against persons under supervision by the corrections
4 facility as specified; providing that consent by the victim
5 is not a defense to specified offenses; and providing for
6 an effective date.

7

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

9

10 **Section 1.** W.S. 6-2-304(a)(iii) and 6-2-307(b) are
11 amended to read:

12

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

14

1 (a) An actor commits sexual assault in the third
2 degree if, under circumstances not constituting sexual
3 assault in the first or second degree:

4
5 (iii) The actor subjects a victim to sexual
6 contact under any of the circumstances of W.S.
7 6-2-302(a)(i) through (iv) or 6-2-303(a)(i) through ~~(vi)~~
8 (vii) without inflicting sexual intrusion on the victim and
9 without causing serious bodily injury to the victim.

10

11 **6-2-307. Evidence of marriage as defense.**

12

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

15

16 **Section 2.** This act is effective July 1, 2009.

17

18

(END)