

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES
First Division Engrossment

NINETY-FIRST SESSION

H. F. No. **15**

01/10/2019 Authored by Stephenson, Hortman, Moller, Becker-Finn, Wazlawik and others
The bill was read for the first time and referred to the Committee on Ways and Means

Division Action

Referred by Chair to the Public Safety and Criminal Justice Reform Finance & Policy Division

01/30/2019 *Division action, return to the Committee on Ways and Means*

01/31/2019 *Referred by Chair to the Judiciary Finance and Civil Law Division*

02/06/2019 *Division action, to adopt as amended and return to the Committee on Ways and Means*

1.1 A bill for an act
1.2 relating to public safety; eliminating the voluntary relationship defense for criminal
1.3 sexual conduct crimes; repealing Minnesota Statutes 2018, section 609.349.

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

1.5 Section 1. **REPEALER.**

1.6 Minnesota Statutes 2018, section 609.349, is repealed.

1.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

609.349 VOLUNTARY RELATIONSHIPS.

A person does not commit criminal sexual conduct under sections 609.342, clauses (a) and (b), 609.343, clauses (a) and (b), 609.344, clauses (a), (b), (d), (e), and (n), and 609.345, clauses (a), (b), (d), (e), and (n), if the actor and complainant were adults cohabiting in an ongoing voluntary sexual relationship at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for legal separation or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by one legal spouse against the other.