

Child Abuse Crimes: Sexual Offenses

(Current through July 25, 2006)

Alabama	Ala. Code § 13A-6-61 et seq. (2005)
Alaska	Alaska Stat. § 11.41.434 et seq. (2006)
Arizona	Ariz. Rev. Stat. § 13-1404 et seq. (2006)
Arkansas	Ark. Code Ann. § 5-14-103 et seq. (2006)
California	Cal. Penal Code § 261.5 (2006) Cal. Penal Code § 266j (2006) Cal. Penal Code § 286 et seq. (2006) Cal. Penal Code § 288.5 (2006) Cal. Penal Code § 289 (2006)
Colorado	Colo. Rev. Stat. § 18-3-403 et seq. (2005)
Connecticut	Conn. Gen. Stat. Ann. § 53a-70 et seq. (2006)
Delaware	Del. Code Ann. tit. 11, § 768 et seq. (2006)
District of Columbia	D.C. Code Ann. § 22-4108 et seq. (2006)
Florida	Fla. Stat. Ann. ch. 794.05 (2006) Fla. Stat. Ann. ch. 794.011 (2006) Fla. Stat. Ann. ch. 800.04 (2006) Fla. Stat. Ann. ch. 827.04(3) (2006)
Georgia	Ga. Code Ann. § 16-6-3 (2006) Ga. Code Ann. § 16-6-4 (2006) Ga. Code Ann. § 16-6-5 (2006) Ga. Code Ann. § 16-6-15 (2006)
Hawaii	Haw. Rev. Stat. § 707-730 (2006) Haw. Rev. Stat. § 707-732 (2006) Haw. Rev. Stat. Ann. § 707-733.5 (2006)
Idaho	Idaho Code § 18-1506 et seq. (2006) Idaho Code § 18-6101 (2006)
Illinois	720 Ill. Comp. Stat. § 5/11-6 (2006) 720 Ill. Comp. Stat. § 5/11-9.1 (2006)

	720 Ill. Comp. Stat. § 5/12-13 et seq. (2006)
Indiana	Ind. Code § 35-42-4-3 et seq. (2006)
Iowa	Iowa Code § 709.3 et seq. (2005)
Kansas	Kan. Stat. Ann. § 21-3502 et seq. (2006) Kan. Stat. Ann. § 21-3603 (2006)
Kentucky	Ky. Rev. Stat. Ann. § 510.010 et seq. (2005)
Louisiana	La. Rev. Stat. Ann. § 14:42 et seq. (2006) La. Rev. Stat. Ann. § 14:78.1 et seq. (2006)
Maine	Me. Rev. Stat. Ann. tit. 17A, § 253 et seq. (2005)
Maryland	Md. Ann. Code art. 27, § 35C (2006) Md. Code Ann. art. 27, § 463 (2006) Md. Code Ann. art. 27, § 464A et seq. (2006)
Massachusetts	Mass. Gen. Laws Ann. ch. 265, § 13B (2006) Mass. Gen. Laws Ann. ch. 265, § 22A (2006) Mass. Gen. Laws Ann. ch. 265, § 23 (2006) Mass. Gen. Laws Ann. ch. 265, § 24B (2006) Mass. Gen. Laws Ann. ch. 272, § 4 (2006)
Michigan	Mich. Stat. Ann. § 28.788(2) et seq. (Callaghan 1990)
Minnesota	Minn. Stat. Ann. § 609.342 et seq. (2006)
Mississippi	Miss. Code Ann. § 97-3-65 (2006) Miss. Code Ann. § 97-3-95 (2006) Miss. Code Ann. § 97-5-23 (2006) Miss. Code Ann. § 97-5-41 (2006) Miss. Code Ann. § 97-29-3 (2006)
Missouri	Mo. Rev. Stat. § 566.032 et seq. (2005)
Montana	Mont. Code Ann. § 45-5-501 et seq. (2005)
Nebraska	Neb. Rev. Stat. § 28-319 (2005) Neb. Rev. Stat. § 28-320.01 (2005)
Nevada	Nev. Rev. Stat. § 200.364 et seq. (2006) Nev. Rev. Stat. § 201.195 (2006) Nev. Rev. Stat. § 201.230 (2006)

New Hampshire	N.H. Rev. Stat. Ann. § 632-A:1 et seq. (2006)
New Jersey	N.J. Stat. Ann. § 2C:14-1 (2006) N.J. Stat. Ann. § 2C:14-2 (2006) N.J. Stat. Ann. § 2C:24-4 (2006)
New Mexico	N.M. Stat. Ann. § 30-9-11 (2006) N.M. Stat. Ann. § 30-9-13 (2006)
New York	N.Y. Penal Law § 130.05 et seq. (2006)
North Carolina	N.C. Gen. Stat. § 14-27.2 et seq. (2006) N.C. Gen. Stat. § 14-202.1 (2006) N.C. Gen. Stat. § 14-202.2 et seq. (2006)
North Dakota	N.D. Cent. Code § 12.1-20-03 et seq. (2006)
Ohio	Ohio Rev. Code Ann. § 2907.02 et seq. (2006)
Oklahoma	Okla. Stat. Ann. tit. 10, § 7102 (2005) Okla. Stat. Ann. tit. 10, § 7115 (2005) Okla. Stat. Ann. tit. 21, § 888 (2005) Okla. Stat. Ann. tit. 21, § 1111 et seq. (2005)
Oregon	Or. Rev. Stat. § 163.355 et seq. (2006) Or. Rev. Stat. § 163.415 (2006) Or. Rev. Stat. § 163.427 (2006) Or. Rev. Stat. § 163.435 (2006) Or. Rev. Stat. § 163.445 (2006)
Pennsylvania	18 Pa. Cons. Stat. Ann. § 3122.1 et seq. (2005)
Rhode Island	R.I. Gen. Laws § 11-37-6 et seq. (2006)
South Carolina	S.C. Code Ann. § 16-3-655 (2005) S.C. Code Ann. § 16-15-140 (2005) S.C. Code Ann. § 16-3-810 (2005) S.C. Code Ann. § 16-3-820 (2005)
South Dakota	S.D. Codified Laws § 22-22-1 et seq. (2006)
Tennessee	Tenn. Code Ann. § 39-13-504 (2005) Tenn. Code Ann. § 39-13-506 (2005) Tenn. Code Ann. § 39-13-522 (2005) Tenn. Code Ann. § 39-13-527 (2005)

Texas	<p>Tex. Penal Code Ann. § 21.11 (2005) Tex. Penal Code Ann. § 22.011 (2005) Tex. Penal Code Ann. § 22.021 (2005)</p>
Utah	<p>Utah Code Ann. § 76-5-401 et seq. (2006) Utah Code Ann. § 76-9-702.5 (2006)</p>
Vermont	<p>Vt. Stat. Ann. tit. 13, § 2602 (2006) Vt. Stat. Ann. tit. 13, § 3252 (2006) Vt. Stat. Ann. tit. 13, § 3253 (2006)</p>
Virginia	<p>Va. Code Ann. § 18.2-61 et seq. (2006) Va. Code Ann. § 18.2-361 et seq. (2006)</p>
Washington	<p>Wash. Rev. Code Ann. § 9A.44.010 (2006) Wash. Rev. Code Ann. § 9A.44.073 et seq. (2006)</p>
West Virginia	<p>W. Va. Code § 61-8B-2 et seq. (2006) W. Va. Code § 61-8D-1 (2006) W. Va. Code § 61-8D-5 (2006)</p>
Wisconsin	<p>Wis. Stat. Ann. § 948.02 et seq. (2006)</p>
Wyoming	<p>Wyo. Stat. Ann. § 6-2-303 et seq. (2006) Wyo. Stat. Ann. § 14-3-105 (2006)</p>

FEDERAL LEGISLATION

U.S. Code	18 U.S.C.A. § 2241 et seq. (2006)
------------------	-----------------------------------

Child Abuse Crimes: Sexual Offenses

(Current through July 12, 2006)

ALABAMA

Ala. Code § 13A-6-61

A male commits the crime of rape in the first degree if he, being 16 years or older, engages in sexual intercourse with a female who is less than 12 years old. Rape in the first degree is a class A felony.

Ala. Code § 13A-6-62

A male commits the crime of rape in the second degree if, being 16 years old or older, he engages in sexual intercourse with a female less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the female. Rape in the second degree is a class B felony.

Ala. Code § 13A-6-63

A person commits the crime of sodomy in the first degree if he, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old. Sodomy in the first degree is a class A felony.

Ala. Code § 13A-6-64

A person commits the crime of sodomy in the second degree if he, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old. Sodomy in the second degree is a class B felony.

Ala. Code § 13A-6-65.1

A person commits the crime of sexual torture by penetrating the vagina or anus or mouth of a person who is less than 12 years old with an inanimate object, by a person who is 16 years old or older with the intent to sexually torture or to sexually abuse. The crime of sexual torture is a class A felony.

Ala. Code § 13A-6-66

A person commits the crime of sexual abuse in the first degree if he, being 16 years old or older, subjects another person to sexual contact who is less than 12 years old. Sexual abuse in the first degree is a class C felony.

Ala. Code § 13A-6-67

A person commits the crime of sexual abuse in the second degree if he, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old. Sexual abuse in second degree is a class A misdemeanor.

Ala. Code § 13A-6-69

It shall be unlawful for any person with lascivious intent to entice, allure, persuade or invite, or attempt to entice, allure, persuade or invite, any child under 16 years of age to enter any vehicle, room, house, office or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such

child, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child fondle or feel the sexual or genital parts of such person. Any person violating the provisions of this section shall, for the first violation, be punished by a fine not to exceed \$5,000 or by confinement for a term not to exceed five years, or by both fine and imprisonment; and any person who shall be convicted for the second violation of this section shall be punished by confinement in the penitentiary for not less than two nor more than 10 years, and such person shall not be eligible for probation.

Ala. Code § 13A-6-70

Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim. A person is deemed incapable of consent if he is less than 16 years old.

ALASKA

Alaska Stat. § 11.41.434

An offender commits the crime of sexual abuse of a minor in the first degree if: being 16 years of age or older, the offender engages in sexual penetration with a person who is under 13 years of age or aids, induces, causes, or encourages a person who is under 13 years of age to engage in sexual penetration with another person; being 18 years of age or older, the offender engages in sexual penetration with a person who is under 18 years of age, and the offender is the victim's natural parent, stepparent, adopted parent, or legal guardian; or being 18 years of age or older, the offender engages in sexual penetration with a person who is under 16 years of age, and the victim at the time of the offense is residing in the same household as the offender and the offender has authority over the victim, or the offender occupies a position of authority in relation to the victim.

Sexual abuse of a minor in the first degree is an unclassified felony.

Alaska Stat. § 11.41.436

An offender commits the crime of sexual abuse of a minor in the second degree if:

- being 16 years of age or older, the offender engages in sexual penetration with a person who is 13, 14, or 15 years of age and at least three years younger than the offender, or aids, induces, causes or encourages a person who is 13, 14, or 15 years of age and at least three years younger than the offender to engage in sexual penetration with another person;
- being 16 years of age or older, the offender engages in sexual contact with a person who is under 13 years of age or aids, induces, causes, or encourages a person under 13 years of age to engage in sexual contact with another person;
- being 18 years of age or older, the offender engages in sexual contact with a person who is under 18 years of age, and the offender is the victim's natural parent, stepparent, adopted parent, or legal guardian;
- being 16 years of age or older, the offender aids, induces, causes, or encourages a person who is under 16 years of age to engage in the lewd touching of another person's genitals, anus, or breast; the lewd touching by another person of the child's genitals, anus, or breast; masturbation; bestiality; or the lewd exhibition of the child's genitals; or
- being 18 years of age or older, the offender engages in sexual contact with a person who is under 16 years of age, and the victim at the time of the

offense is residing in the same household as the offender and the offender has authority over the victim; or the offender occupies a position of authority in relation to the victim.

Sexual abuse of a minor in the second degree is a class B felony.

Alaska Stat. § 11.41.438

An offender commits the crime of sexual abuse of a minor in the third degree if being 16 years of age or older, the offender engages in sexual contact with a person who is 13, 14, or 15 years of age and at least three years younger than the offender; or being 18 years of age or older, the offender engages in sexual penetration with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim. Sexual abuse of a minor in the third degree is a class C felony.

Alaska Stat. § 11.41.440

An offender commits the crime of sexual abuse of a minor in the fourth degree if, being under 16 years of age, the offender engages in sexual penetration or sexual contact with a person who is under 13 years of age and at least three years younger than the offender; or being 18 years of age or older, the offender engages in sexual contact with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim. Sexual abuse of a minor in the fourth degree is a class A misdemeanor.

Alaska Stat. § 11.41.470

Legal guardian means a person who is under a duty to exercise general supervision over a minor as a result of a court order, statute, or regulation, and includes foster parents and staff members and other employees of group homes or youth correctional facilities where a child is placed as a result of a court order or the action of the division of family and youth services, and police officers and probation officers when those officers are exercising custodial control over a minor.

Position of authority means an employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem, babysitter, or a substantially similar position, and a police officer or probation officer other than when the officer is exercising custodial control over a minor.

Sexual act means sexual penetration or sexual contact.

Without consent means that a person with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, imminent physical injury, or kidnapping to be inflicted on anyone; or is incapacitated as a result of an act of the defendant.

ARIZONA

Ariz. Rev. Stat. Ann. § 13-1404

A person commits sexual abuse by intentionally or knowingly engaging in sexual

contact with any person 15 or more years of age without consent of that person or with any person who is under 15 years of age if the sexual contact involves only the female breast. Sexual abuse is a class 5 felony unless the victim is under 15 years of age in which case sexual abuse is a class 3 felony.

Ariz. Rev. Stat. Ann. § 13-1405

A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years of age. Sexual conduct with a minor who is under 15 years of age is a class 2 felony. Sexual conduct with a minor who is at least 15 years of age is a class 6 felony.

Sexual conduct with a minor who is at least 15 years of age is a class 2 felony if the person is the minor's parent, stepparent, adoptive parent, legal guardian or foster parent and the convicted person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233(A) or (B), until the sentence imposed has been served or commuted.

Ariz. Rev. Stat. Ann. § 13-1407

It is a defense to a prosecution pursuant to §§ 13-1404 and 13-1405 in which the victim's lack of consent is based on incapacity to consent because the victim was fifteen, sixteen or seventeen years of age, if at the time the defendant engaged in the conduct constituting the offense the defendant did not know and could not reasonably have known the age of the victim.

It is a defense to prosecution pursuant to § 13-1405 if the victim is of the age of fifteen, sixteen or seventeen, the defendant is less than nineteen years of age or attending high school and is no more than twenty-four months older than the victim and the conduct is consensual.

Ariz. Rev. Stat. Ann. § 13-1410

A person commits molestation of a child by intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child under 15 years of age. Molestation of a child is a class 2 felony.

Ariz. Rev. Stat. Ann. § 13-1417 (

A person who over a period of three months or more in duration engages in three or more acts of sexual conduct of a minor, sexual assault, or molesting of a child with a child under fourteen years of age is guilty of continuous sexual abuse of a child. Continuous sexual abuse of a child is a class 2 felony.

Any other felony sexual offense involving the victim shall not be charged in the same proceeding with a charge under this section unless the other charged felony sexual offense occurred outside the time period charged under this section or the other felony sexual offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved. If more than one victim is involved, a separate count may be charged for each victim.

ARKANSAS

Ark. Code Ann. § 5-14-103

A person commits rape if he engages in sexual intercourse or deviate sexual activity with another person: who is less than 14 years of age; or not his spouse who is less than 16 years of age and who is incapable of consent because he is mentally defective or mentally incapacitated. Rape is a class Y felony.

Ark. Code Ann. § 5-14-104

A person commits carnal abuse in the first degree if, being under the age of 18 years, he engages in sexual intercourse or deviate sexual activity with another person not his spouse who is less than 14 years old. Carnal abuse in the first degree is a class A felony.

Ark. Code Ann. § 5-14-106

A person commits carnal abuse in the third degree if, being 20 years old or older, he engages in sexual intercourse or deviate sexual activity with another person not his spouse who is less than 16 years old. Carnal abuse in the third degree is a class D felony.

Ark. Code Ann. § 5-14-107

A person commits sexual misconduct if he engages in sexual intercourse or deviate sexual activity with another person not his spouse who is less than 16 years old. Sexual misconduct is a class B misdemeanor.

Ark. Code Ann. § 5-14-108

A person commits sexual abuse in the first degree if, being 18 years old or older, he engages in sexual contact with a person not his spouse who is less than 14 years old; or he engages in sexual contact with a person who is less than 16 years of age and who is incapable of consent because he is mentally defective or mentally incapacitated. Sexual abuse in the first degree is a class C felony.

Ark. Code Ann. § 5-14-109

A person commits sexual abuse in the second degree if, being less than 18 years old, he or she engages in sexual contact with a person not his or her spouse who is less than 14 years old. It is an affirmative defense to prosecution under this subdivision that the actor was not more than two years older than the victim.

Ark. Code Ann. § 5-14-110

A person commits sexual solicitation of a child, if, being 18 years old or older, he or she solicits any person not his or her spouse who is less than 14 years old to engage in sexual intercourse, deviate sexual activity, or sexual contact. Sexual solicitation of a child is a class D felony.

Ark. Code Ann. § 5-14-120

A person commits the offense of violation of a minor in the first degree if he engages in sexual intercourse or deviate sexual activity with another person not his spouse, who is more than 13 years of age and less than 18 years of age, and the actor is the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority of the minor. Violation of a minor in the first degree is a class C felony.

Ark. Code Ann. § 5-14-121

A person commits the offense of violation of a minor in the second degree if he engages in sexual contact with another person not his spouse, who is more than 13 years of age and less than 18 years of age, and the actor is the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority of the minor. Violation of a minor in the second degree is a class D felony.

CALIFORNIA

Cal. Penal Code § 261.5

Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a minor is a person under the age of 18 years and an adult is a person who is at least 18 years of age.

Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony. Any person over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony.

Cal. Penal Code § 266j

Any person who intentionally gives, transports, provides, or makes available, or who offers to give, transport, provide, or make available to another person, a child under the age of 16 for the purpose of any lewd or lascivious act, or who causes, induces, or persuades a child under the age of 16 to engage in such an act with another person, is guilty of a felony and shall be imprisoned in the state prison for a term of three, six, or eight years, and by a fine not to exceed \$15,000.

Cal. Penal Code § 286

Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy. Except as provided in section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. Except as provided in section 288, any person over the age of 21 years who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony. Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

Cal. Penal Code § 288

Any person who willfully and lewdly commits any lewd or lascivious act including any of the acts constituting other crimes provided for in this code upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions or sexual desires of that person or the child, is guilty of a felony and shall be punished by

imprisonment in the state prison for three, six or eight years.

Any person who commits an act described above with the intent described in that subdivision, and the victim is a child of 14 or 15 years, and the defendant is at least 10 years older than the child, is guilty of a public offense and shall be punished by imprisonment in the state prison for one, two, or three years, or by imprisonment in a county jail for not more than one year.

Cal. Penal Code § 288a

Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person. Except as provided in section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Except as provided in section 288, any person over the age of 21 years who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony. Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

Cal. Penal Code § 288.5

Any person who either resides in the same home with the minor child or has recurring access to the child, who over a period of time, not less than three months in duration, engages in three or more acts of substantial sexual conduct with a child under the age of 14 years at the time of the commission of the offense, or three or more acts of lewd or lascivious conduct under section 288, with a child under the age of 14 years at the time of the commission of the offense is guilty of the offense of continuous sexual abuse of a child and shall be punished by imprisonment in the state prison for a term of 6, 12, or 16 years.

No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved in which case a separate count may be charged for each victim.

Cal. Penal Code § 289

Except as provided in section 288, any person who commits an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in the county jail for a period of not more than one year.

Except as provided in section 288, any person over the age of 21 years who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.

Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

Sexual penetration is the act of causing penetration, however slight, of the genital or anal openings of any person or causing another person to so penetrate the defendant's or another person's genital or anal openings for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object.

COLORADO

Colo. Rev. Stat. § 18-3-403

Any actor who knowingly inflicts sexual penetration or sexual intrusion on a victim commits sexual assault in the second degree if at the time of the commission of the act, the victim is less than 15 years of age and the actor is at least four years older than the victim and is not the spouse of the victim. Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 or 18-3-403 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits sexual assault in the third degree. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

Colo. Rev. Stat. § 18-3-404

Any person who knowingly, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits sexual assault in the third degree. For the purposes of this subsection, the term "child" means any person under the age of eighteen years.

Sexual assault in the third degree is a class 1 misdemeanor, but it is a class 4 felony if the actor compels the victim to submit by use of such force, intimidation, or threat.

Colo Rev. Stat. § 18-3-405

Any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child if the victim is less than 15 years of age and the actor is at least four years older than the victim. Sexual assault on a child is a class 4 felony, but it is a class 3 felony if the actor commits the offense on a victim by use of force, intimidation, or threat; or the actor commits the offense as a part of a pattern of sexual abuse.

Colo. Rev. Stat. § 18-3-405.3

Any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child by one in a position of trust if the victim is a child less than 18 years of age and the actor committing the offense is one in a position of trust with respect to the victim. Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than 15 years of age; or the actor commits the offense as a part of a pattern of sexual abuse, no specific date or time need be alleged for the pattern of sexual abuse, except that the acts constituting the pattern of sexual abuse must have been committed within ten years prior to the offense charged in the information or indictment, the offense charged in the information or indictment shall constitute one of the incidents of sexual contact involving a child necessary to form a pattern of sexual abuse; and it is a class 4 felony if the victim is 15 years of age or older but less than 18 years of age.

CONNECTICUT

Conn. Gen. Stat. § 53a-70

A person is guilty of sexual assault in the first degree when such person engages in sexual intercourse with another person and such other person is under 13 years of age and the actor is more than two years older than such person. Sexual assault in the first degree is a class B felony for which one year of the sentence imposed may not be suspended or reduced by the court or, if the victim of the offense is under 10 years of age, for which ten years of the sentence imposed may not be suspended or reduced by the court.

Conn. Gen. Stat. § 53a-71

A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and such other person is 13 years of age or older but under 16 years of age and the actor is more than two years older than such person; or such other person is less than 18 years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor. Sexual assault in the second degree is a class C felony.

Conn. Gen. Stat. § 53a-73a

A person is guilty of sexual assault in the fourth degree when such person intentionally subjects another person to sexual contact who is under 15 years of age, or less than 18 years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare. Sexual assault in the fourth degree is a class A misdemeanor.

DELAWARE

Del. Code Ann. tit. 11, § 768

A person is guilty of unlawful sexual contact in the second degree when the person intentionally has sexual contact with another person who is less than 16 years of age or causes the victim to have sexual contact with the third person or a third person. Unlawful sexual contact in the second degree is a class G felony.

Del. Code Ann. tit. 11, § 770

A person is guilty of rape in the fourth degree when the person: (1) intentionally engages in sexual intercourse with another person, and the victim has not yet reached his or her sixteenth birthday; or (2) intentionally engages in sexual intercourse with another person, and the victim has not yet reached his or her eighteenth birthday, and the person is 30 years of age or older, except that such intercourse shall not be unlawful if the victim and person are married at the time of such intercourse; or (3) intentionally engages in sexual penetration with another person and the victim has not reached his or her sixteenth birthday; or (4) intentionally engages in sexual intercourse or sexual penetration with another person, and the victim has reached his or her sixteenth birthday but has not yet reached his or her eighteenth birthday and the defendant stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision

over the child. Rape in the fourth degree is a class C felony.

Del. Code Ann. tit. 11, § 771

A person is guilty of rape in the third degree when the person: (1) intentionally engages in sexual intercourse with another person, and the victim has not reached his or her sixteenth birthday and the person is at least 10 years older than the victim, or the victim has not yet reached his or her fourteenth birthday and the person has reached his or her nineteenth birthday and is not otherwise subject to prosecution pursuant to this title; or (2) intentionally engages in sexual penetration with another person and the victim has not reached his or her sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim.

Rape in the third degree is a class B felony.

Del. Code Ann. tit. 11, § 772

A person is guilty of rape in the second degree when the person: intentionally engages in sexual penetration with another person and the victim has not yet reached his or her sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person displays what appears to be a deadly weapon or a dangerous instrument; or the victim has not yet reached his or her twelfth birthday, and the defendant has reached his or her eighteenth birthday; or the victim has not yet reached his or her sixteenth birthday and the defendant stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child. Notwithstanding any provision of this title to the contrary, the minimum sentence for a person convicted of rape in the second degree in violation of this section shall be 10 years. Rape in the second degree is a class B felony.

Del. Code Ann. tit. 11, § 773

A person is guilty of rape in the first degree when the person intentionally engages in sexual intercourse with another person and any of the following circumstances exist: (1) the victim has not yet reached his or her twelfth birthday, and the defendant has reached his or her eighteenth birthday; or (2) the victim has not yet reached his or her sixteenth birthday and the defendant stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child. Notwithstanding any law to the contrary, a person convicted of rape in the first degree shall be sentenced to life imprisonment without benefit of probation, parole or any other reduction if: (1) the victim had not yet reached his or her 16th birthday at the time of the offense and the person inflicts serious physical injury on the victim; or (2) the person intentionally causes serious and prolonged disfigurement to the victim permanently, or intentionally destroys, amputates or permanently disables a member or organ of the victim's body; or (3) the person is convicted of rape against 3 or more separate victims; or (4) the person has previously been convicted of unlawful sexual intercourse in the first degree, rape in the second degree or rape in the first degree, or any equivalent offense under the laws of this State, any other state or the United States. Rape in the first degree is a class A felony.

DISTRICT OF COLUMBIA

D.C. Code Ann. § 22-4108

Whoever, being at least 4 years older than a child, engages in a sexual act with that child or causes that child to engage in a sexual act shall be imprisoned for any term of years or life and, in addition may be fined an amount not to exceed \$250,000.

D.C. Code Ann. § 22-4109

Whoever, being at least 4 years older than a child, engages in a sexual contact with that child or causes that child to engage in sexual contact shall be imprisoned for not more than 10 years and, in addition may be fined in an amount not to exceed \$100,000.

FLORIDA

Fla. Stat. Ann. ch. 794.05

A person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second degree. As used in this section, sexual activity means oral, anal, or vaginal penetration by, or union with, the sexual organ of another; however, sexual activity does not include an act done for a bona fide medical purpose.

The provisions of this section do not apply to a person 16 or 17 years of age who has the disabilities of nonage removed [by marriage].

Fla. Stat. Ann. ch. 794.011

A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony. A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony. A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony.

A person who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the following circumstances, commits a felony of the first degree: (1) When the victim is physically helpless to resist. (2) When the offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat. (3) When the offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future. (4) When the offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance which mentally or physically incapacitates the victim. (5) When the victim is mentally defective and the offender has reason to believe this or has actual knowledge of this fact. (6) When the victim is physically incapacitated.

A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree.

Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familial or custodial authority to a person less than 18 years of age and who: (1) Engages in any act with that person while the person is 12 years of age or older but less than 18 years of age which constitutes sexual battery commits a felony of the first degree. (2) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery, or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony.

Sexual battery means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

Fla. Stat. Ann. ch. 800.04

A person who engages in sexual activity with a person 12 years of age or older but less than 16 years of age or encourages, forces, or entices any person less than 16 years of age to engage in sadomasochistic abuse, sexual bestiality, prostitution, or any other act involving sexual activity commits lewd or lascivious battery, a felony of the second degree.

A person who intentionally touches in a lewd or lascivious manner the breasts, genitals, genital area, or buttocks, or the clothing covering them, of a person less than 16 years of age, or forces or entices a person under 16 years of age to so touch the perpetrator, commits lewd or lascivious molestation. An offender 18 years of age or older who commits lewd or lascivious molestation against a victim less than 12 years of age commits a felony of the first degree. An offender less than 18 years of age who commits lewd or lascivious molestation against a victim less than 12 years of age or an offender 18 years of age or older who commits lewd or lascivious molestation against a victim 12 years of age or older but less than 16 years of age commits a felony of the second degree. An offender less than 18 years of age who commits lewd or lascivious molestation against a victim 12 years of age or older but less than 16 years of age commits a felony of the third degree.

Fla. Stat. Ann. ch. 827.04(3)

A person 21 years of age or older who impregnates a child under 16 years of age commits an act of child abuse which constitutes a felony of the third degree. A person who impregnates a child in violation of this subsection commits an offense under this subsection regardless of whether the person is found to have committed, or has been charged with or prosecuted for, any other offense committed during the course of the same criminal transaction or episode, including, but not limited to, an offense proscribed under section 800.04, relating to lewd, lascivious, or indecent assault or act upon any person under 16 years of age. Neither the victim's lack of chastity nor the victim's consent is a defense to the crime proscribed under this subsection.

GEORGIA

Ga. Code Ann. § 16-6-3

A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim. A person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years; provided, further, that if the victim is 14 or 15 years of age and the person so convicted is no more than three years older than the victim, such person shall be guilty of a misdemeanor.

Ga. Code Ann. § 16-6-4

A person commits the offense of child molestation when he or she does any immoral or indecent act to or in the presence of or with any child under the age of 16 years with the intent to arouse or satisfy the sexual desires of either the child or the person. A person convicted of a first offense of child molestation shall be punished by imprisonment for not less than five nor more than 20 years.

A person commits the offense of aggravated child molestation when such person commits an offense of child molestation which act physically injures the child or involves an act of sodomy. A person convicted of the offense of aggravated child molestation shall be punished by imprisonment for not less than ten nor more than 30 years.

Ga. Code Ann. § 16-6-5

A person commits the offense of enticing a child for indecent purposes when he or she solicits, entices, or takes any child under the age of 16 years to any place whatsoever for the purpose of child molestation or indecent acts. A person convicted of the offense of enticing a child for indecent purposes shall be punished by imprisonment for not less than one nor more than 20 years.

Ga. Code Ann. § 16-6-15

A person commits the offense of solicitation of sodomy when he solicits another to perform or submit to an act of sodomy. Except as provided below, a person convicted of solicitation of sodomy shall be punished as for a misdemeanor. A person convicted of solicitation of sodomy when such offense involves the solicitation of a person under the age of 17 years to perform or submit to an act of sodomy for money shall be guilty of a felony.

HAWAII

Haw. Rev. Stat. § 707-730

A person commits the offense of sexual assault in the first degree if the person knowingly subjects to sexual penetration another person who is less than 14 years old. Sexual assault in the first degree is a class A felony.

Haw. Rev. Stat. § 707-732

A person commits the offense of sexual assault in the third degree if the person knowingly subjects to sexual contact another person who is less than fourteen years

old or causes such person to have sexual contact with the person. Sexual assault in the third degree is a class C felony.

Haw. Rev. Stat. Ann. § 707-733.5

Any person who: (a) either resides in the same home with a minor under the age of 14 years or has recurring access to the minor; and (b) engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, but while the minor is under the age of 14 years, is guilty of the offense of continuous sexual assault of a minor under the age of 14 years.

To convict under this section, the trier of fact, if a jury, need unanimously agree only that the requisite number of acts have occurred; the jury need not agree on which acts constitute the requisite number.

No other felony sex offense involving the same victim may be charged in the same proceeding with a charge under this section, unless the other charged offense occurred outside the time frame of the offense charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved, in which case a separate count may be charged for each victim.

Continuous sexual assault of a minor under the age of 14 years is a class A felony.

IDAHO

Idaho Code § 18-1506

It is a felony for any person 18 years of age or older, with the intent to gratify the lust, passions, or sexual desire of the actor, minor child or third party, to solicit a minor child under the age of 16 years to participate in a sexual act, or cause or have sexual contact with such minor child, not amounting to lewd conduct.

Solicit means any written, verbal, or physical act which is intended to communicate to such minor child the desire of the actor or third party to participate in a sexual act or participate in sexual foreplay, by the means of sexual contact, photographing or observing such minor child engaged in sexual contact. Sexual contact means any physical contact between such minor child and any person, which is caused by the actor, or the actor causing such minor child to have self contact.

Idaho Code § 18-1508

Any person who shall commit any lewd or lascivious act or acts upon or with the body or any part or member thereof of a minor child under the age of 16 years, including but not limited to, genital-genital contact, oral-genital contact, anal-genital contact, oral-anal contact, manual-anal contact, or manual-genital contact, whether between persons of the same or opposite sex, or who shall involve such minor child in any act of bestiality or sado-masochism, when any of such acts are done with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person, such minor child, or third party, shall be guilty of a felony.

Idaho Code § 18-1508A

It is a felony for any person at least five years of age older than a minor child who

is 16 or 17 years of age, who, with the intent of arousing, appealing to or gratifying the lust, passion, or sexual desires of such person, minor child, or third party, to: (1) Commit any lewd or lascivious act or acts upon or with the body or any part or any member thereof of such minor child including, but not limited to, genital-genital contact, oral-genital contact, anal-genital contact, oral-anal contact, manual-anal contact or manual-genital contact, whether between persons of the same or opposite sex, or who shall involve such minor child in any act of explicit sexual conduct; or (2) Solicit such minor child to participate in a sexual act; or (3) Cause or have sexual contact with such minor child, not amounting to lewd conduct.

Idaho Code § 18-6101

Rape is defined as the penetration, however slight, of the oral, anal or vaginal opening with the perpetrator's penis accomplished with a female where the female is under the age of 18 years.

ILLINOIS

720 III. Comp. Stat. Ann. § 5/11-6

A person of the age of 17 years and upwards who solicits a child under the age of 13 to do any act, or solicits a person to arrange an act with a child under the age of 13, which if done would be aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse or criminal sexual abuse, commits indecent solicitation of a child. Indecent solicitation of a child is a class A misdemeanor when the act, if done, would be criminal sexual abuse; a class 4 felony when the act, if done, would be criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse.

For the purposes of this section solicits includes but is not limited to oral or written communication and communication by telephone, computer, or other electronic means.

720 III. Comp. Stat. Ann. § 5/11-9.1

Any person commits sexual exploitation of a child if in the presence of a child and with intent or knowledge that a child would view his or her acts, that person engages in a sexual act; or exposes his or her sex organs, anus or breast for the purpose of sexual arousal or gratification of such person or the child. Sexual exploitation of a child is a class A misdemeanor. As used in this section, sexual act means masturbation, sexual conduct or sexual penetration, and child means a person under 17 years of age.

720 III. Comp. Stat. Ann. § 5/12-13

The accused commits criminal sexual assault if he or she: (1) commits an act of sexual penetration with a victim who was under 18 years of age when the act was committed and the accused was a family member; or (2) commits an act of sexual penetration with a victim who was at least 13 years of age but under 18 years of age when the act was committed and the accused was 17 years of age or over and held a position of trust, authority or supervision in relation to the victim.

Criminal sexual assault is a Class 1 felony.

720 III. Comp. Stat. Ann. § 5/12-14

The accused commits aggravated criminal sexual assault if the accused was under

17 years of age and (i) commits an act of sexual penetration with a victim who was under 9 years of age when the act was committed; or (ii) commits an act of sexual penetration with a victim who was at least 9 years of age but under 13 years of age when the act was committed and the accused used force or threat of force to commit the act.

Aggravated criminal sexual assault is a Class X felony.

720 III. Comp. Stat. Ann. § 5/12-14.1

The accused commits predatory criminal sexual assault of a child if: (1) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or (2) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused caused great bodily harm to the victim that: (A) resulted in permanent disability; or (B) was life threatening. A person convicted of a violation of subsection (1) commits a Class X felony. A person convicted of a violation of subsection (2) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

720 III. Comp. Stat. Ann. § 5/12-15

The accused commits criminal sexual abuse if the accused was under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who was at least nine years of age but under 17 years of age when the act was committed. The accused commits criminal sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was less than five years older than the victim. Criminal sexual abuse is a class A misdemeanor.

720 III. Comp. Stat. Ann. § 5/12-16

The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual conduct with a victim who was under 18 years of age when the act was committed and the accused was a family member.

The accused commits aggravated criminal sexual abuse if: (1) the accused was 17 years of age or over and commits an act of sexual conduct with a victim who was under 13 years of age when the act was committed; or commits an act of sexual conduct with a victim who was at least 13 years of age but under 17 years of age when the act was committed and the accused used force or threat of force to commit the act; or (2) the accused was under 17 years of age and (i) commits an act of sexual conduct with a victim who was under nine years of age when the act was committed; or (ii) commits an act of sexual conduct with a victim who was at least nine years of age but under 17 years of age when the act was committed and the accused used force or threat of force to commit the act.

The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was at least five years older than the victim.

The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual conduct with a victim who was at least 13 years of age but under 18 years

of age when the act was committed and the accused was 17 years of age or over and held a position of trust, authority or supervision in relation to the victim. Aggravated criminal sexual abuse is a class 2 felony.

INDIANA

Ind. Code § 35-42-4-3

A person who, with a child under 14 years of age, performs or submits to sexual intercourse or deviate sexual conduct commits child molesting, a class B felony. However, the offense is a class A felony if it is committed by a person at least 21 years of age; or it is committed using or threatening the use of deadly force, or while armed with a deadly weapon, if it results in serious bodily injury; or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge.

A person who, with a child under 14 years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits child molesting, a class C felony. However, the offense is a class A felony if it is committed by using or threatening the use of deadly force, while armed with a deadly weapon, or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge.

It is a defense that the accused person reasonably believed that the child was 16 years of age or older at the time of the conduct.

Ind. Code § 35-42-4-5

A person 18 years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of 16 to touch or fondle himself or another child under the age of 16 with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a class D felony. However, the offense is a class C felony if a child involved in the offense is under the age of 14, a class B felony if the offense is committed by using or threatening the use of deadly force, or while armed with a deadly weapon, or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge and a class A felony if it results in serious bodily injury.

A person 18 years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of 16 to: (1) engage in sexual intercourse with another child under 16 years of age; (2) engage in sexual conduct with an animal other than a human being; or (3) engage in deviate sexual conduct with another person;

with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a class C felony. However, the offense is a class B felony if any child involved in the offense is less than 14 years of age, and it is a class A felony if the offense is committed by using or threatening the use of

deadly force, or while armed with a deadly weapon, if it results in serious bodily injury, or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge

Ind. Code. § 35-42-4-6

A person 18 years of age or older who knowingly or intentionally solicits a child under 14 years of age to engage in sexual intercourse; deviate sexual conduct; or any fondling or touching intended to arouse or satisfy the sexual desires of either the child or the older person, commits child solicitation, a Class D felony. However, the offense is a Class C felony if it is committed by using a computer network.

Ind. Code. § 35-42-4-7

If a person who is at least 18 years of age and the guardian, adoptive parent, adoptive grandparent, custodian, or stepparent of; or child care worker for; a child at least 16 years of age but less than 18 years of age engages in sexual intercourse or deviate sexual conduct with the child, the person commits child seduction, a class D felony.

Child care worker means a person who provides care or supervision of a child within the scope of the person's employment in a public or private school or shelter care facility.

Ind. Code. § 35-42-4-9

A person at least 18 years of age who, with a child at least 14 years of age but less than 16 years of age, performs or submits to sexual intercourse or deviate sexual conduct commits sexual misconduct with a minor, a class C felony. However, the offense is a class B felony if it is committed by a person at least 21 years of age; and a class A felony if it is committed by using or threatening the use of deadly force, or if its committed while armed with a deadly weapon, if it results in a serious bodily injury, or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge.

A person at least 18 years of age who, with a child at least 14 years of age but less than 16 years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits sexual misconduct with a minor, a class D felony. However, the offense is a Class C felony if it is committed by a person at least 21 years of age; and a class B felony if it is committed by using or threatening the use of deadly force, while armed with a deadly weapon, or the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge with a drug or controlled substance or knowing that the victim was furnished with a drug or controlled substance without the victim's knowledge.

It is a defense that the accused person reasonably believed that the child was at least 16 years of age at the time of conduct. It is a defense that the child is or has ever been married.

IOWA

Iowa Code § 709.3

A person commits sexual abuse in the second degree when the person commits sexual abuse when the other person is under the age of 12. Sexual abuse in the second degree is a class B felony.

Iowa Code § 709.4

A person commits sexual abuse in the third degree when the person performs a sex act and the act is between persons who are not at the time cohabiting as husband and wife and any of the following are true: (1) The other participant is 12 or 13 years of age. (2) The other participant is 14 or 15 years of age and any of the following are true: (i) The person is a member of the same household as the other participant. (ii) The person is related to the other participant by blood or affinity to the fourth degree. (iii) The person is in a position of authority over the other participant and uses that authority to coerce the other participant to submit. (iv) The person is six or more years older than the other participant.

Sexual abuse in the third degree is a class C felony.

Iowa Code § 709.8

It is unlawful for any person 18 years of age or older to perform any of the following acts with a child with or without the child's consent unless married to each other, for the purpose of arousing or satisfying the sexual desires of either of them: fondle or touch the pubes or genitals of a child; permit or cause a child to fondle or touch the person's genitals or pubes; solicit a child to engage in a sex act or solicit a person to arrange a sex act with a child; inflict pain or discomfort upon a child or permit a child to inflict pain or discomfort on the person. Any person who violates a provision of this section shall, upon conviction, be guilty of a class D felony.

Iowa Code § 709.12

A person 18 years of age or older is upon conviction guilty of an aggravated misdemeanor if the person commits any of the following acts with a child, not the person's spouse, with or without the child's consent, for the purpose of arousing or satisfying the sexual desires of either of them: fondle or touch the inner thigh, groin, buttock, anus, or breast of the child; touch the clothing covering the immediate area of the inner thigh, groin, buttock, anus, or breast of the child; solicit or permit a child to fondle or touch the inner thigh, groin, buttock, anus, or breast of the person; solicit a child to engage in fondling a child, permitting a child to fondle the person, inflicting pain or discomfort upon a child or permitting the child to inflict pain or discomfort on the person.

The provisions of this section shall also apply to a person 16 or 17 years of age who commits any of the enumerated acts with a child who is at least five years the person's junior.

Iowa Code 709.14

It is unlawful for a person over 18 years of age who is in a position of authority over a minor to force, persuade, or coerce a minor, with or without consent, to disrobe or partially disrobe for the purpose of arousing or satisfying the sexual desires of either of them. Lascivious conduct with a minor is a serious misdemeanor.

KANSAS

Kan. Stat. Ann. § 21-3502

Rape is sexual intercourse with a child who is under 14 years of age. Rape is a severity level 2, person felony.

Kan. Stat. Ann. § 21-3503

Indecent liberties with a child is engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: a) any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or b) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another. Indecent liberties with a child is a severity level 5, person felony.

Kan. Stat. Ann. § 21-3504

Aggravated indecent liberties with a child is: (1) sexual intercourse with a child who is 14 or more years of age but less than 16 years of age; (2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto: a) any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or satisfy the sexual desires of either the child or the offender, or both; or b) causing the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or (3) engaging in any of the following acts with a child who is under 14 years of age: a) any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or b) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.

Aggravated indecent liberties with a child is a severity level 3, person felony.

Kan. Stat. Ann. § 21-3505

Criminal sodomy is sodomy with a child who is 14 or more years of age but less than 16 years of age; or causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal. Criminal sodomy is a severity level 3, person felony.

Kan. Stat. Ann. § 21-3506

Aggravated criminal sodomy is sodomy with a child who is under 14 years of age; or causing a child under 14 years of age to engage in sodomy with any person or an animal. Aggravated criminal sodomy is a severity level 2, person felony.

Kan. Stat. Ann. § 21-3508

Lewd and lascivious behavior is: (1) publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or (2) publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender and who has not consented thereto,

with intent to arouse or gratify the sexual desires of the offender or another.

Lewd and lascivious behavior if committed in the presence of a person 16 or more years of age is a class B nonperson misdemeanor.

Lewd and lascivious behavior if committed in the presence of a person under 16 years of age is a severity level 9, person felony.

Kan. Stat. Ann. § 21-3510

Indecent solicitation of a child is: a) enticing or soliciting a child 14 or more years of age but less than 16 years of age to commit or to submit to an unlawful sexual act; or b) inviting, persuading or attempting to persuade a child 14 or more years of age but less than 16 years of age to enter any vehicle, building, room or secluded place with intent to commit an unlawful sexual act upon or with the child. Indecent solicitation of a child is a severity level 7, person felony.

Kan. Stat. Ann. § 21-3511

Aggravated indecent solicitation of a child is: a) enticing or soliciting a child under the age of 14 years to commit or to submit to an unlawful sexual act; or b) inviting, persuading or attempting to persuade a child under the age of 14 years to enter any vehicle, building, room or secluded place with intent to commit an unlawful sexual act upon or with the child. Aggravated indecent solicitation of a child is a severity level 6, person felony.

Kan. Stat. Ann. § 21-3603

Aggravated incest is engaging in any lewd fondling, with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece. Aggravated incest is a felony.

KENTUCKY

Ky. Rev. Stat. Ann. § 510.010

Deviate sexual intercourse means any act of sexual gratification involving the sex organs of one person and the mouth or anus of another.

Sexual contact means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party.

Sexual intercourse means sexual intercourse in its ordinary sense and includes penetration of the sex organs or anus of one person by a foreign object manipulated by another person. Sexual intercourse occurs upon any penetration, however slight; emission is not required. Sexual intercourse does not include penetration of the sex organ or anus by a foreign object in the course of the performance of generally recognized health care practices.

Foreign object means anything used in commission of a sexual act other than the person of the actor.

Ky. Rev. Stat. Ann. § 510.040

A person is guilty of rape in the first degree when he engages in sexual intercourse with another person who is incapable of consent because he is less than 12 years old. Rape in the first degree is a class B felony unless the victim is under 12 years old or receives a serious physical injury in which case it is a class A felony.

Ky. Rev. Stat. Ann. § 510.050

A person is guilty of rape in the second degree when, being 18 years old or more, he engages in sexual intercourse with another person less than 14 years old. Rape in the second degree is a class C felony.

Ky. Rev. Stat. Ann. § 510.060

A person is guilty of rape in the third degree when being 21 years old or more, he engages in sexual intercourse with another person less than 16 years old. Rape in the third degree is a class D felony.

Ky. Rev. Stat. Ann. § 530.064

A person is guilty of unlawful transaction with a minor in the first degree when he knowingly induces, assists, or causes a minor to engage in illegal sexual activity except those offenses involving child prostitution.

Unlawful transaction with a minor is a class C felony if the minor so used is less than 18 years old at the time the minor engages in the prohibited activity; class B felony if the minor so used is less than 16 years old at the time the minor engages in the prohibited activity; and class A felony if the minor so used incurs physical injury thereby.

Ky. Rev. Stat. Ann. § 510.070

A person is guilty of sodomy in the first degree when he engages in deviate sexual intercourse with another person who is incapable of consent because he is less than 12 years old. Sodomy in the first degree is a class B felony unless the victim is under 12 years old or receives a serious physical injury in which case it is a class A felony.

Ky. Rev. Stat. Ann. § 510.080

A person is guilty of sodomy in the second degree when, being 18 years old or more, he engages in deviate sexual intercourse with another person less than fourteen years old. Sodomy in the second degree is a class C felony.

Ky. Rev. Stat. Ann. § 510.090

A person is guilty of sodomy in the third degree when being 21 years old or more, he engages in deviate sexual intercourse with another person less than 16 years old. Sodomy in the third degree is a class D felony.

Ky. Rev. Stat. Ann. § 510.110

A person is guilty of sexual abuse in the first degree when he subjects another person to sexual contact who is incapable of consent because he is less than 12 years old. Sexual abuse in the first degree is a class D felony.

Ky. Rev. Stat. Ann. § 510.120

A person is guilty of sexual abuse in the second degree when he subjects another

person who is less than 14 years old to sexual contact. Sexual abuse in the second degree is a class A misdemeanor.

Ky. Rev. Stat. Ann. § 510.130

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent. It is a defense that the other person was at least 14 years old and the actor was less than five years older than the other person. Sexual abuse in the third degree is a class B misdemeanor.

LOUISIANA

La. Rev. Stat. Ann. § 14:42

Aggravated rape is a rape committed where the anal or vaginal sexual intercourse is deemed to be without lawful consent of the victim because it is committed when the victim is under the age of 12 years.

La. Rev. Stat. Ann. § 14:43.1

Sexual battery is the intentional engaging in any of the following acts with another person, who is not the spouse of the offender, where the offender acts without the consent of the victim, or where the other person has not yet attained 15 years of age and is at least three years younger than the offender: the touching of the anus or genitals of the victim by the offender using any instrumentality or any part of the body of the offender; or the touching of the anus or genitals of the offender by the victim using any instrumentality or any part of the body of the victim.

La. Rev. Stat. Ann. § 14:43.3

Oral sexual battery is the intentional engaging in any of the following acts with another person, who is not the spouse of the offender, when the offender either compels the other person to submit by placing the person in fear of receiving bodily harm, or when the other person has not yet attained 15 years of age and is at least three years younger than the offender: the touching of the anus or genitals of the victim by the offender using the mouth or tongue of the offender; or the touching of the anus or genitals of the offender by the victim using the mouth or tongue of the victim.

La. Rev. Stat. Ann. § 14:43.4

Aggravated oral sexual battery is an oral sexual battery committed when the intentional touching of the genitals or anus of one person and the mouth or tongue of another is deemed to be without the lawful consent of the victim because it is committed when the victim is under the age of 12 years.

La. Rev. Stat. Ann. § 14:78.1

Aggravated incest is the engaging in any prohibited act enumerated below with a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step, or adoptive relatives: child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew, or niece.

The following are prohibited acts under this section: sexual intercourse, sexual battery, aggravated sexual battery, carnal knowledge of a juvenile, indecent behavior with juveniles, pornography involving juveniles, molestation of a juvenile,

crime against nature, cruelty to juveniles, parent enticing a child into prostitution, or any other involvement of a child in sexual activity constituting a crime under the laws of this state; any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child, the offender, or both.

La. Rev. Stat. Ann. § 14:80

Carnal knowledge of a juvenile is committed when a person over the age of 17 has sexual intercourse, with consent, with any person of the age of 12 years or more, but under the age of 17 years, when there is an age difference of greater than two years between the two persons and the victim is not the spouse of the offender; or a person over the age of 17 has anal or oral sexual intercourse, with consent, with a person of the age of 12 years or more, but under the age of 17 years, when there is an age difference of greater than two years between the two persons.

La. Rev. Stat. Ann. § 14:81

Indecent behavior with juveniles is the commission of any lewd or lascivious act upon the person or in the presence of any child under the age of 17, where there is an age difference of greater than two years between the two persons, with the intention of arousing or gratifying the sexual desires of either person. Lack of knowledge of the child's age shall not be a defense.

La. Rev. Stat. Ann. § 14:81.2

Molestation of a juvenile is the commission by anyone over the age of 17 of any lewd or lascivious act upon the person or in the presence of any child under the age of 17, where there is an age difference of greater than two years between the two persons, with the intention of arousing or gratifying the sexual desires of either person, by the use of force, violence, duress, menace, psychological intimidation, threat of great bodily harm, or by the use of influence by virtue of a position of control or supervision over the juvenile.

La. Rev. Stat. Ann. § 14:89.1

Aggravated crime against nature is crime against nature committed when the victim is under the age of 17 years and the offender is at least three years older than the victim.

MAINE

Me. Rev. Stat. Ann. tit. 17A, § 253

A person is guilty of gross sexual assault if that person engages in a sexual act with another person and the other person, not the actor's spouse, has not in fact attained the age of 14 years.

A person is guilty of gross sexual assault if that person engages in a sexual act with another person and if: a) the other person, not the actor's spouse, has not attained the age of 18 years and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student; b) the other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, day care facility, residential child care facility, drug treatment center, camp or similar

school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person; or c) the other person has not in fact attained the age of 18 years and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term care and welfare of that other person.

Me. Rev. Stat. Ann. tit 17A, § 254

A person is guilty of sexual abuse of a minor if: (A) having attained the age of 19 years, the person engages in a sexual act with another person, not the actor's spouse, who has attained the age of 14 years but has not attained the age of 16 years, provided that the actor is at least five years older than the other person; or (B) Having attained the age of 21 years, the person engages in a sexual act with another person, not the actor's spouse, who has attained the age of 16 years but not the age of 18 years, and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.

It is a defense to a prosecution under paragraph (A) that the actor reasonably believed the other person to have attained his 16th birthday.

Violation of paragraph (A) is a Class D crime; and violation of paragraph (B) is a Class E crime; except that the sentencing class is one class higher if the State pleads and proves: (a) the actor was more than 10 years older than the other person; (b) the actor knew the other person was related to the actor within the 2nd degree of consanguinity; or (c) the actor has two or more prior Maine convictions for violations of this section.

Me. Rev. Stat. Ann. tit 17A, § 255 (C), (F) (G) & (J)

A person is guilty of unlawful sexual contact if the person intentionally subjects another person to any sexual contact, and: (1) the other person, not the actor's spouse, has not in fact attained the age of 14 years and the actor is at least three years older; (2) the other person, not the actor's spouse, has not in fact attained the age of 18 years and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student; (3) the other person has not in fact attained the age of 18 years and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of that other person; (4) or the other person, not the actor's spouse, has not in fact attained the age of 18 years and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor, having attained the age of 21 years, is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.

MARYLAND

MD. Ann. Code art. 27, § 35C

Abuse means sexual abuse of a child, whether physical injuries are sustained or not.

Child means any individual under the age of 18 years.

Family member means a relative of a child by blood, adoption, or marriage.

Household member means a person who lives with or is a regular presence in a home of a child at the time of the alleged abuse.

Sexual abuse means any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member. Sexual abuse includes, but is not limited to incest, rape, or sexual offense in any degree; sodomy; and unnatural or perverted sexual practices.

Md. Ann. Code art. 27, § 463

A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person who is under 14 years of age and the person performing the act is at least four years older than the victim. Any person violating the provisions of this section is guilty of a felony.

Md. Ann. Code art. 27, § 464A

A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person under 14 years of age and the person performing the sexual act is four or more years older than the victim. Any person violating the provisions of this section is guilty of a felony.

Md. Ann. Code art. 27, § 464B

A person is guilty of a sexual offense in the third degree if the person engages in sexual contact with another person who is 14 years of age and the person performing the sexual contact is four or more years older than the victim; or a sexual act with another person who is 14 or 15 years of age and the person performing the sexual act is at least 21 years of age; or vaginal intercourse with another person who is 14 or 15 years of age and the person performing the act is at least 21 years of age. Any person violating the provisions of this section is guilty of a felony.

Md. Ann. Code art. 27, § 464C

A person is guilty of a sexual offense in the fourth degree if the person engages: in a sexual act with another person who is 14 or 15 years of age and the person performing the sexual act is four or more years older than the other person; or, in vaginal intercourse with another person who is 14 or 15 years of age and the person performing the act is four or more years older than the other person. Any person violating the provisions of this section is guilty of a misdemeanor.

MASSACHUSETTS

Mass. Gen. Laws ch. 265, § 13B

Whoever commits an indecent assault and battery on a child under the age of 14 shall be punished by imprisonment in state prison for not more than 10 years or by imprisonment in a jail or house of corrections for not more than two and one-half years; and whoever commits a second or subsequent such offense shall be

punished by imprisonment in the state prison for life or any term of years.

In a prosecution under this section, a child under the age of 14 years shall be deemed incapable of consenting to any conduct of the defendant for which said defendant is being prosecuted.

Mass. Gen. Laws ch. 265, § 22A

Whoever has sexual intercourse or unnatural sexual intercourse with a child under sixteen, and compels said child to submit by force and against his will or compels said child to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for life or for any term of years, but not less than five years.

Mass. Gen. Laws ch. 265, § 23

Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age shall, for the first offense, be punished by imprisonment in the state prison for life or for any term of years, or, except as otherwise provided, for any term in a jail or house of correction.

Mass. Gen. Laws ch. 265, § 24B

Whoever assaults a child under 16 with intent to commit a rape shall be punished by imprisonment in the state prison for life or for any term of years.

Mass. Gen. Laws Ann. ch. 272, § 4

Whoever induces any person under 18 of chaste life to have unlawful sexual intercourse shall be punished by imprisonment in the state prison for not more than three years or in jail or house of corrections for not more than two and one-half years or by fine of not more than \$ 1,000 or by both such fine and imprisonment.

MICHIGAN

Mich. Stat. Ann. § 28.788(2)

A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exist: (1) that other person is under 13 years of age; (2) that other person is at least 13 but less than 16 years of age and any of the following: a) the actor is a member of the same household as the victim; b) the actor is related to the victim by blood or affinity to the fourth degree; c) the actor is in a position of authority over the victim and used this authority to coerce the victim to submit.

Criminal sexual conduct in the first degree is a felony punishable by imprisonment in the state prison for life or for any term of years.

Mich. Stat. Ann. § 28.788(3)

A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if that other person is under 13 years of age; or that other person is at least 13 but less than 16 years of age and any of the following: a) the actor is a member of the same household as the victim; b) the actor is related by blood or affinity to the fourth degree to the victim; c) the actor is in a position of authority over the victim and the actor used this authority to coerce the victim to submit. Criminal sexual conduct in the second degree is a felony punishable by imprisonment for not more than 15 years.

Mich. Stat. Ann. § 28.788(4)

A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and the other person is at least 13 years of age and under 16 years of age. Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than 15 years.

Mich. Stat. Ann. § 28.788(5)

A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and the other person is at least 13 years of age and under 16 years of age, and the actor is 5 or more years older than the other person. Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$500.00, or both.

MINNESOTA

Minn. Stat. Ann. § 609.342

A person who engages in sexual penetration with another person, or in sexual contact with a person under 13, is guilty of criminal sexual conduct in the first degree if any of the following circumstances exists: (1) The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. (2) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. (3) The actor has a significant relationship to the complainant and the complainant was under 16 years of age at the time of the sexual penetration. (4) The actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual penetration, and: the actor or an accomplice used force or coercion to accomplish the penetration; the complainant suffered personal injury; or the sexual abuse involved multiple acts committed over an extended period of time.

Minn. Stat. Ann. § 609.343

A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the second degree if any of the following circumstances exists: (1) The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. (2) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. (3) The actor has a significant relationship to the complainant and the complainant was under 16 years of age at the time of the sexual contact. (4) The actor has a significant relationship to the complainant, the complainant was under 16 years of age at the time of the sexual contact, and: the actor or an accomplice used force or coercion to accomplish the contact; the complainant suffered personal injury; or the sexual abuse involved multiple acts committed over an extended period of time.

Minn. Stat. Ann. § 609.344

A person who engages in sexual penetration with another person is guilty of criminal sexual conduct in the third degree if any of the following circumstances exists: (1) The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. (2) The complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the

complainant. (3) The complainant is at least 16 but less than 18 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. (4) The actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual penetration. (5) The actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual penetration, and: the actor or an accomplice used force or coercion to accomplish the penetration; the complainant suffered personal injury; or the sexual abuse involved multiple acts committed over an extended period of time.

Minn. Stat. Ann. § 609.345

A person who engages in sexual contact with another person is guilty of criminal sexual conduct in the fourth degree if any of the following circumstances exists: (1) The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. (2) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant. Consent by the complainant to the act is not a defense. In any such case, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor believes the complainant to be 16 years of age or older. (3) The complainant is at least 16 but less than 18 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant. (4) The actor has a significant relationship to the complainant and the complainant was at least 16 but under 18 years of age at the time of the sexual contact. (5) The actor has a significant relationship to the complainant, the complainant was at least 16 but under 18 years of age at the time of the sexual contact, and: the actor or an accomplice used force or coercion to accomplish the contact; the complainant suffered personal injury; or the sexual abuse involved multiple acts committed over an extended period of time.

MISSISSIPPI

Miss. Code Ann. § 97-3-65

The crime of statutory rape is committed when: (1) any person seventeen years of age or older has sexual intercourse with a child who is at least fourteen but under sixteen years of age; is thirty-six or more months younger than the person; and is not the person's spouse; or (2) a person of any age has sexual intercourse with a child who is under the age of fourteen years; is twenty-four or more months younger than the person; and is not the person's spouse.

Neither the victim's consent nor the victim's lack of chastity is a defense to a charge of statutory rape.

In all cases where a victim is under the age of 16 years, it shall not be necessary to prove penetration where it is shown the genitals, anus or perineum of the child have been lacerated or torn in an attempt to have sexual intercourse with the child.

Miss. Code Ann. § 97-3-95

A person is guilty of sexual battery if he or she engages in sexual penetration with child at least 14 years but under 16 years if age, if the person is 36 or more months older than the child; or a child under the age of 14 years of age, if the person is 24 or more months older than the child. A person is guilty of sexual battery if he or

she engages in sexual penetration with a child under the age of 18 years if the person is in a position of trust or authority over the child including without limitation the child's teacher, counselor, physician, psychiatrist, psychologist, minister, priest, physical therapist, chiropractor, legal guardian, parent, stepparent, aunt, uncle, scout leader or coach.

Miss. Code Ann. § 97-5-23

Any person above the age of 18 years, who, for the purpose of gratifying his or her lust, or indulging his or her depraved licentious sexual desires, shall handle, touch or rub with hands or any part of his or her body or any member thereof, any child under the age of 16 years, with or without the child's consent, shall be guilty of a felony.

Any person above the age of 18 years, who, for the purpose of gratifying his or her lust, or indulging his or her depraved licentious sexual desires, shall handle, touch or rub with hands or any part of his or her body or any member thereof, any child younger than himself or herself and under the age of 18 years who is not such person's spouse, with or without the child's consent, when the person occupies a position of trust or authority over the child shall be guilty of a felony.

A person in a position of trust or authority over a child includes without limitation a child's teacher, counselor, physician, psychiatrist, psychologist, minister, priest, physical therapist, chiropractor, legal guardian, parent, stepparent, aunt, uncle, scout leader or coach.

Miss. Code Ann. § 97-5-41

Any person who shall have carnal knowledge of his or her unmarried stepchild or adopted child younger than himself or herself and over 14 and under 18 years of age, upon conviction, shall be punished by imprisonment in the penitentiary for a term not exceeding 10 years.

Any person who shall have carnal knowledge of an unmarried child younger than himself or herself and over 14 and under 18 years of age, with whose parent he or she is cohabiting or living together as husband and wife, upon conviction, shall be punished by imprisonment in the penitentiary for a term not exceeding 10 years.

Miss. Code Ann. § 97-29-3

If any teacher and any pupil under 18 years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than \$500 each, and the teacher may be imprisoned not less than three months nor more than six months.

MISSOURI

Mo. Rev. Stat. § 566.032

A person commits the crime of statutory rape in the first degree if he has sexual intercourse with another person who is less than fourteen years old.

Mo. Rev. Stat. § 566.034

A person commits the crime of statutory rape in the second degree if being 21 years

of age or older, he has sexual intercourse with another person who is less than 17 years of age. Statutory rape in the second degree is a class C felony.

Mo. Rev. Stat. § 566.062

A person commits the crime of statutory sodomy in the first degree if he has deviate sexual intercourse with another person who is less than fourteen years old.

Mo. Rev. Stat. § 566.064

A person commits the crime of statutory sodomy in the second degree if being 21 years of age or older, he has deviate sexual intercourse with another person who is less than 17 years of age. Statutory sodomy in the second degree is a class C felony.

Mo. Rev. Stat. § 566.067

A person commits the crime of child molestation in the first degree if he subjects another person who is less than 12 years of age to sexual contact.

Mo. Rev. Stat. § 566.068

A person commits the crime of child molestation in the second degree if he subjects another person who is 12 or 13 years of age to sexual contact.

Mo. Rev. Stat. § 566.100

A person commits the crime of sexual abuse if he subjects another person to sexual contact by the use of forcible compulsion. Sexual abuse is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than 14 years of age, in which case the crime is a class B felony.

MONTANA

Mont. Code Ann. § 45-5-501

Without consent means a victim is incapable of consent because he is less than 16 years old.

Mont. Code Ann. § 45-5-502

A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault. If the victim is less than 16 years old and the offender is three or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual assault, he shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than two years or more than 100 years and may be fined not more than \$50,000. Consent is ineffective under this section if the victim is less than 14 years old and the offender is three or more years older than the victim.

Mont. Code Ann. § 45-5-503

A person who knowingly has sexual intercourse without consent with another person commits the offense of sexual intercourse without consent. If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual

intercourse without consent, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years or more than 100 years and may be fined not more than \$50,000.

Mont. Code Ann. § 45-5-507

A person commits the offense of incest if he knowingly marries, cohabits with, has sexual intercourse with, or has sexual contact with an ancestor, a descendant, a brother or sister of the whole or half blood, or any stepson or stepdaughter. The relationships referred to herein include blood relationships without regard to legitimacy, relationships of parent and child by adoption, and relationships involving a stepson or stepdaughter. If the victim is under 16 years of age and the offender is three or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing incest, he shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than four years or more than 100 years and may not be fined more than \$50,000.

NEBRASKA

Neb. Rev. Stat. § 28-319

Any person who subjects another person to sexual penetration when the actor is 19 years of age or older and the victim is less than 16 years of age is guilty of sexual assault in the first degree. Sexual assault in the first degree is a class II felony.

Neb. Rev. Stat. § 28-320.01

A person commits sexual assault of a child if he or she subjects another person 14 years of age or younger to sexual contact and the actor is at least 19 years of age or older. Sexual assault of a child is a class IIIA felony for the first offense.

NEVADA

Nev. Rev. Stat. § 200.364

Statutory sexual seduction means ordinary sexual intercourse, anal intercourse, cunnilingus or fellatio committed by a person 18 years of age or older with a person under the age of 16 years; or any other sexual penetration committed by a person 18 years of age or older with a person under the age of 16 years with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of either of the persons.

Nev. Rev. Stat. Ann. § 200.366

A person who subjects another person to sexual penetration, or who forces another person to make a sexual penetration on himself or another, or on a beast, against the victim's will or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his conduct, is guilty of sexual assault. A person who commits a sexual assault against a child under the age of 16 years is guilty of a category A felony and shall be punished, if the crime results in substantial bodily harm to the child, by imprisonment in the state prison for life without possibility of parole; and if the crime is committed against a child under the age of 14 years and does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served.

Nev. Rev. Stat. § 200.368

A person who commits statutory sexual seduction shall be punished if he is 21 years of age or older, for a category C felony; if he is under 21 years, for a gross misdemeanor. *A category C felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years. In addition to any other penalty, the court may impose a fine of not more than \$10,000, unless a greater fine is authorized or required by statute.*

Nev. Rev. Stat. § 201.195

A person who incites, entices or solicits a minor to engage in acts which constitute the infamous crime against nature: (a) if the minor actually engaged in such acts as a result, and the minor was less than 14 years of age, is guilty of a category A felony or if the minor was 14 years of age or older, is guilty of a class D felony; (b) if the minor did not engage in such act: for the first offense, is guilty of a gross misdemeanor; for any subsequent offense is guilty of a category D felony. Infamous crime against nature means anal intercourse, cunnilingus or fellatio between natural persons of the same sex. Any sexual penetration, however slight, is sufficient to complete the infamous crime against nature.

Nev. Rev. Stat. § 201.230

A person who willfully and lewdly commits any lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of that person or of that child, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of ten years has been served, and may be further punished by a fine of not more than \$10,000.

NEW HAMPSHIRE

N.H. Rev. Stat. Ann. § 632-A:1

Genital openings means the internal or external genitalia including, but not limited to, the vagina, labia majora, labia minora, vulva, urethra or perineum.

Pattern of sexual assault means committing more than one act of sexual assault or sexual contact upon the same victim over a period of two months or more and within a period of five years.

Sexual contact means the intentional touching whether directly, through clothing, or otherwise, of the victim's or actor's sexual or intimate parts, including breasts and buttocks. Sexual contact includes only that aforementioned conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification.

Sexual penetration means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of the actor's body or any object manipulated by the actor into genital or anal openings of the victim's body; or Any intrusion, however slight, of any part of the victim's body into genital or anal openings of the actor's body; Any act which forces, coerces or intimidates the victim to perform any sexual penetration on the actor, on another person, or on

himself. Emission is not required as an element of any form of sexual penetration.

N.H. Rev. Stat. Ann. § 632-A:2

A person is guilty of the felony of aggravated felonious sexual assault if he engages in sexual penetration with another person under any of the following circumstances: (1) When, except as between legally married spouses, the victim is 13 years of age or older and under 16 years of age and: the actor is a member of the same household as the victim; or the actor is related by blood or affinity to the victim. (2) When, except as between legally married spouses, the victim is 13 years of age or older and under 18 years of age and the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit. (3) When the victim is less than 13 years of age.

A person is guilty of aggravated felonious sexual assault without penetration when he intentionally touches whether directly, through clothing, or otherwise, the genitalia of a person under the age of 13 under circumstances that can be reasonably construed as being for the purpose of sexual arousal or gratification. A person is guilty of aggravated felonious sexual assault when such person engages in a pattern of sexual assault against another person, not the actor's legal spouse, who is less than 16 years of age. The mental state applicable to the underlying acts of sexual assault need not be shown with respect to the element of engaging in a pattern of sexual assault.

N.H. Rev. Stat. Ann. § 632-A:3

A person is guilty of a class B felony if he: (1) Subjects a person to sexual contact and causes serious personal injury to the victim under any of the circumstances named in section 632-A:2; or (2) Engages in sexual penetration with a person other than his legal spouse who is 13 years of age or older and under 16 years of age; or (3) Engages in sexual contact with a person other than his legal spouse who is under 13 years of age.

N.H. Rev. Stat. Ann. § 632-A:4

A person is guilty of a misdemeanor if he subjects another person who is 13 years of age or older to sexual contact under any of the circumstances named in section 632-A:2.

NEW JERSEY

N.J. Stat. Ann. § 2C:14-1

Sexual penetration means vaginal intercourse, cunnilingus, fellatio or anal intercourse between persons or insertion of the hand, finger or object into the anus or vagina either by the actor or upon the actor's instruction. The depth of insertion shall not be relevant as to the question of commission of the crime.

Sexual contact means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor. Sexual contact of the actor with himself must be in view of the victim whom the actor knows to be present.

Intimate parts means the following body parts: sexual organs, genital area, anal

area, inner thigh, groin, buttock or breast of a person.

N.J. Stat. Ann. § 2C:14-2

An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances: (1) The victim is less than 13 years old; (2) The victim is at least 13 but less than 16 years old; and (i) The actor is related to the victim by blood or affinity to the third degree; or (ii) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status; or (iii) The actor is a foster parent, a guardian, or stands in loco parentis within the household.

Aggravated sexual assault is a crime of the first degree.

An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim.

An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances: (1) The victim is at least 16 but less than 18 years old, and (i) The actor is related to the victim by blood or affinity to the third degree; or (ii) The actor has supervisory or disciplinary power over the victim; or (iii) The actor is a foster parent, a guardian, or stands in loco parentis within the household. (2) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim. Sexual assault is a crime of the second degree.

N.J. Stat. Ann. § 2C:24-4

Any person having a legal duty for the care of a child or who has assumed responsibility for the care of a child who engages in sexual conduct which would impair or debauch the morals of the child is guilty of a crime in the second degree.

Any other person who engages in conduct or who causes harm as described in this subsection to a child under the age of 16 is guilty of a crime of the third degree.

Child means any person under 16 years of age.

Prohibited sexual act means sexual intercourse; anal intercourse; masturbation; bestiality; sadism; masochism; fellatio; cunnilingus; or nudity, if depicted for the purpose of sexual stimulation or gratification of any person who may view such depiction.

NEW MEXICO

N.M. Stat. Ann. § 30-9-11

Criminal sexual penetration is the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.

Criminal sexual penetration in the first degree consists of all sexual penetration

perpetrated on a child under thirteen years of age. Whoever commits criminal sexual penetration in the first degree is guilty of a first degree felony.

Criminal sexual penetration in the second degree consists of all criminal sexual penetration perpetrated on a child thirteen to sixteen years of age when the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit. Whoever commits criminal sexual penetration in the second degree is guilty of a second degree felony.

Criminal sexual penetration in the fourth degree consists of all criminal sexual penetration perpetrated on a child thirteen to sixteen years of age when the perpetrator is at least eighteen years of age and is at least four years older than and not the spouse of that child. Whoever commits criminal sexual penetration in the fourth degree is guilty of a fourth degree felony.

N.M. Stat. Ann. § 30-9-13

Criminal sexual contact of a minor is the unlawful and intentional touching or applying force to the intimate parts of a minor or the unlawful and intentional causing a minor to touch one's intimate parts. For the purposes of this section, intimate parts means the primary genital area, groin, buttocks, anus or breast.

Criminal sexual contact of a minor in the third degree consists of all criminal sexual contact of a minor perpetrated: (1) on a child under thirteen years of age; or (2) on a child thirteen to eighteen years of age when: (a) the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit; (b) the perpetrator uses force or coercion which results in personal injury to the child; (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or (d) the perpetrator is armed with a deadly weapon. Whoever commits criminal sexual contact in the third degree is guilty of a third degree felony.

Criminal sexual contact of a minor in the fourth degree consists of all criminal sexual contact of a child thirteen to eighteen years of age perpetrated with force or coercion. Whoever commits criminal sexual contact in the fourth degree is guilty of a fourth degree felony.

NEW YORK

N.Y. Penal Law § 130.05

Whether or not specifically stated, it is an element of every offense defined in this article, except the offense of consensual sodomy, that the sexual act was committed without consent of the victim. A person is deemed incapable of consent when he is less than 17 years old.

N.Y. Penal Law § 130.20

A person is guilty of sexual misconduct, a class A misdemeanor, when being a male, he engages in sexual intercourse with a female without her consent; or he engages in deviate sexual intercourse with another person without the latter's consent.

N.Y. Penal Law § 130.25

A person is guilty of rape in the third degree, a class E felony, when being 21 years old or more, he or she engages in sexual intercourse with another person to whom

the actor is not married less than 17 years old.

N.Y. Penal Law § 130.30

A person is guilty of rape in the second degree, a class D felony, when, being 18 years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than 14 years old.

N.Y. Penal Law § 130.35

A male is guilty of rape in the first degree, a class B felony, when he engages in sexual intercourse with a female who is less than 11 years old.

N.Y. Penal Law § 130.40

A person is guilty of sodomy in the third degree, a class E felony, when being 21 years old or more, he engages in deviate sexual intercourse with a person less than 17 years old.

N.Y. Penal Law § 130.45

A person is guilty of sodomy in the second degree, a class D felony, when, being 18 years old or more, he engages in deviate sexual intercourse with another person less than 14 years old.

N.Y. Penal Law § 130.50

A person is guilty of sodomy in the first degree, a class B felony, when he engages in deviate sexual intercourse with another person who is less than 11 years old.

N.Y. Penal Law § 130.55

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person. Sexual abuse in the third degree is a class B misdemeanor.

N.Y. Penal Law § 130.60

A person is guilty of sexual abuse in the second degree, a class A misdemeanor, when he subjects another person to sexual contact and when such other person is less than 14 years old.

N.Y. Penal Law § 130.65

A person is guilty of sexual abuse in the first degree, a class D felony, when he subjects another person to sexual contact when the other person is less than 11 years old.

N.Y. Penal Law § 130.67

A person is guilty of aggravated sexual abuse in the second degree, a class C felony, when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person when the other person is less than 11 years old.

N.Y. Penal Law § 130.70

A person is guilty of aggravated sexual abuse in the first degree, a class B felony ,when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person when the other person is less than 11 years old.

NORTH CAROLINA

N.C. Gen. Stat. § 14-27.2

A person is guilty of rape in the first degree if the person engages in vaginal intercourse with a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim. Any person who commits an offense defined in this section is guilty of a Class B1 felony.

N.C. Gen. Stat. § 14-27.4

A person is guilty of a sexual offense in the first degree if the person engages in a sexual act with a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim. Any person who commits an offense defined in this section is guilty of a Class B1 felony.

N.C. Gen. Stat. § 14-27.7

If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, or if a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a class E felony.

N.C. Gen. Stat. § 14-27.7A

A defendant is guilty of a class B1 felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the defendant is at least 6 years older than the person.

A defendant is guilty of a class C felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the defendant is more than 4 but less than 6 years older than the person.

N.C. Gen. Stat. § 14-202.1

A person is guilty of taking indecent liberties with children if, being 16 years of age or more and at least five years older than the child in question, he either willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex under the age of 16 years for the purpose of arousing or gratifying sexual desire; or willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex under the age of 16 years. An offense under this section is a class F felony.

N.C. Gen. Stat. § 14-202.2

A person who is under the age of 16 years is guilty of taking indecent liberties with children if the person either willfully takes or attempts to take any immoral,

improper, or indecent liberties with any child of either sex who is at least three years younger than the defendant for the purpose of arousing or gratifying sexual desire; or willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex who is at least three years younger than the defendant for the purpose of arousing or gratifying sexual desire. A violation of this section is punishable as a class 1 misdemeanor.

NORTH DAKOTA

N.D. Cent. Code § 12.1-20-03

A person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of an offense if the victim is less than 15 years old. A person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of an offense if the victim is less than 15 years old. An offense under this section is a felony.

N.D. Cent. Code § 12.1-20-03.1

An individual in an adult court is guilty of a class A felony if the individual engages in any combination of three or more sexual acts or sexual contacts with a minor under the age of 15 years during a period of three or more months. The court may not defer imposition of sentence nor may the court suspend any part of the specified sentence, at the time of or after the imposition of the sentence, unless the court first finds that the offense was the defendant's first violation of this chapter and that extenuating or mitigating circumstances exist which justify a suspension.

If more than three sexual acts or contacts are alleged, a jury must unanimously agree that any combination of three or more acts or contact occurred. The jury does not need to unanimously agree which three acts or contacts occurred.

No other felony offense under this chapter involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section, but a separate count may be charged for each victim if more than one victim is involved.

N.D. Cent. Code § 12.1-20-04

A person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of an offense if the actor compels the other person to submit by any threat that would render a person of reasonable firmness incapable of resisting. If the victim is a minor, fifteen years of age or older, the offense is a class B felony.

N.D. Cent. Code § 12.1-20-05

An adult who engages in a sexual act with another person or who causes another person to engage in a sexual act, is guilty of a class A misdemeanor if the other person is a minor, 15 years of age or older, or is guilty of a class C felony if the adult is at least 22 years of age and the other person is a minor 15 years of age or older.

An adult who solicits a person under the age of 15 years to engage in a sexual act or sexual contact is guilty of a class A misdemeanor.

N.D. Cent. Code § 12.1-20-07

A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if the other person is a minor, 15 years of age or older, and the other actor is the other person's parent, guardian, or is otherwise responsible for general supervision of the other person's welfare. The offense is a class C felony.

A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if the other person is a minor, 15 years of age or older, and the actor is an adult. The offense is a class C felony if the adult is at least 22 years of age. The offense is a class A misdemeanor and the adult is at least 18 years of age and not 22 years of age or older.

OHIO

Ohio Rev. Code Ann. § 2907.02

No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when the other person is less than 13 years of age, whether or not the offender knows the age of such person. Whoever violates this section is guilty of rape, an aggravated felony of the first degree. If the offender purposely compels the victim to submit by force or threat of force, this person shall be imprisoned for life.

Ohio Rev. Code Ann. § 2907.03

No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

- The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person. Whoever violates this section is guilty of sexual battery, a felony of the third degree.
- The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards in which the other person is enrolled or that other person attends, and the offender is not enrolled in and does not attend that school. Whoever violates this section is guilty of sexual battery, a felony of the third degree.
- The other person is a minor, and the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education in which the other person is enrolled or that the other person attends. Whoever violates this section is guilty of sexual battery, a felony of the third degree.
- The other person is a minor, and the offender is the other person's athletic or

other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person. Whoever violates this section is guilty of sexual battery, a felony of the third degree.

Ohio Rev. Code Ann. § 2907.04

No person who is 18 years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows such other person is 13 years of age or older but less than 16 years of age, or the offender is reckless in that regard. Whoever violates this section is guilty of corruption of a minor, a felony of the fourth degree. If the offender is less than four years older than the other person, corruption of a minor is a misdemeanor of the first degree.

Ohio Rev. Code Ann. § 2907.05

No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when the other person, or one of the other persons, is less than 13 years of age, whether or not the offender knows the age of that person. Whoever violates this section is guilty of gross sexual imposition. Violation of this subdivision is a felony of the third degree.

Ohio Rev. Code Ann. § 2907.06

No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when the other person, or one of the other persons, is 13 years of age or older but less than 16 years of age, whether or not the offender knows the age of such person, and the offender is at least 18 years of age and four or more years older than such other person. Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree.

Ohio Rev. Code Ann. § 2907.07

No person shall solicit a person under 13 years of age to engage in sexual activity with the offender, whether or not the offender knows the age of such person. Violation of this subsection is a misdemeanor of the first degree.

No person shall solicit another, not the spouse of the offender, to engage in sexual conduct with the offender, when the offender is 18 years of age or older and four or more years older than the other person, and the other person is over 12 but not over 15 years of age, whether or not the offender knows the age of the other person. Violation of this subsection is a misdemeanor of the fourth degree.

Ohio Rev. Code Ann. § 2907.12

No person, without privilege to do so, shall insert any part of the body, or any instrument, apparatus, or other object into the vaginal or anal cavity of another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when the other person is less than 13 years of age, whether or not the offender knows the age of such person. Whoever violates this section is guilty of felonious sexual penetration, an aggravated felony of the first degree. If the offender purposely compels the victim to submit by force or threat of force, whoever violates this section shall be imprisoned for life.

OKLAHOMA

Okla. Stat. Ann. tit. 10, § 7102

Abuse means harm or threatened harm to a child's health or safety by a person responsible for the child's health or safety including sexual abuse and sexual exploitation.

Harm or threatened harm to a child's health or safety includes but is not limited to nonaccidental physical or mental injury; sexual abuse, sexual exploitation, neglect, or failure or omission to provide protection from harm or threatened harm.

Child means a person under the age of 18 years.

Person responsible for a child's health or safety includes a parent; a legal guardian; custodian; a foster parent; a person 18 years of age or older with whom the child's parent co-habits or any other adult residing in the home of the child; an agent or employee of a public or private residential home, institution or facility; or an owner, operator, or employee of a child care facility.

Sexual abuse includes but is not limited to rape, incest and lewd or indecent acts or proposals by a person responsible for the child's welfare by a person responsible for the child's health and safety.

Okla. Stat. Ann. tit. 10, § 7115

Any parent or other person who shall willfully or maliciously sexually abuse, sexually exploit or otherwise abuse or neglect a child under the age of 18 or who shall willfully or maliciously cause, procure or permit any of said acts to be done, shall upon conviction be punished by imprisonment in the state penitentiary not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one year, or by a fine of not less than \$500 nor more than \$5,000, or both such fine and imprisonment.

Okla. Stat. Ann. tit. 21, § 888

Any person who forces another person to engage in the detestable and abominable crime against nature, upon conviction, is guilty of a felony. The crime of forcible sodomy shall include sodomy committed by a person over 18 years of age upon a person under 16 years of age.

Okla. Stat. Ann. tit. 21, § 1111

Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator where the victim is under 16 years of age.

Okla. Stat. Ann. tit. 21, § 1114

Rape in the first degree shall include rape committed by a person over 18 years of age upon a person under 14 years of age, or rape by instrumentation committed upon a person under 14 years of age.

Okla. Stat. Ann. tit. 21, § 1123

Any person who shall knowingly and intentionally: make any oral or written lewd or indecent proposal to any child under 16 years of age for the child to have unlawful sexual relations or sexual intercourse with any person; or look upon, touch, maul, or feel the body or private parts of any child under 16 years of age in any lewd or lascivious manner by any acts against public decency and morality, as defined by law; or ask, invite, entice, or persuade any child under 16 years of age to go alone with any person to a secluded, remote, or secret place, with the unlawful and willful intent and purpose then and there to commit any crime against public decency and morality, as defined by law, with the child; or in any manner lewdly or lasciviously look upon, touch, maul, or feel the body or private parts of any child under 16 years of age in any indecent manner or in any manner relating to sexual matters or sexual interest; or in a lewd and lascivious manner and for the purpose of sexual gratification, urinate or defecate upon a child under 16 years of age or ejaculate upon or in the presence of a child, or force or require a child to look upon the body or private parts of another person or upon sexual acts performed in the presence of the child or force or require a child to touch or feel the body or private parts of said child or another person,

upon conviction, shall be deemed guilty of a felony and shall be punished by imprisonment in the state penitentiary for not less than one year nor more than 20 years.

No person shall commit sexual battery on any other person. Sexual battery shall mean the intentional touching, mauling or feeling of the body or private parts of any person 16 years of age or older, in a lewd and lascivious manner and without the consent of that person. Any person convicted of any violation of this subsection shall be deemed guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five years.

OREGON

Or. Rev. Stat. § 163.355

A person commits the crime of rape in the third degree if the person has sexual intercourse with another person under 16 years of age. Rape in the third degree is a class C felony.

Or. Rev. Stat. § 163.365

A person who has sexual intercourse with another person commits the crime of rape in the second degree if the other person is under 14 years of age. Rape in the second degree is a class B felony.

Or. Rev. Stat. § 163.375

A person who has sexual intercourse with another person commits the crime of rape in the first degree if the victim is under 12 years of age; or the victim is under 16 years of age and is the person's sibling, of the whole or half blood, the person's child or the person's spouse's child. Rape in the first degree is a class A felony.

Or. Rev. Stat. § 163.385

A person commits the crime of sodomy in the third degree if the person engages in deviate sexual intercourse with another person under 16 years of age or causes that

person to engage in deviate sexual intercourse. Sodomy in the third degree is a class C felony.

Or. Rev. Stat. § 163.395

A person who engages in deviate sexual intercourse with another person or causes another to engage in deviate sexual intercourse commits the crime of sodomy in the second degree if the victim is under 14 years of age. Sodomy in the second degree is a class B felony.

Or. Rev. Stat. § 163.405

A person who engages in deviate sexual intercourse with another person or causes another to engage in deviate sexual intercourse commits the crime of sodomy in the first degree if the victim is under 12 years of age; or the victim is under 16 years of age and is the actor's brother or sister, of the whole or half blood, the son or daughter of the actor or the son or daughter of the actor's spouse.

Or. Rev. Stat. § 163.408

A person commits the crime of unlawful sexual penetration in the second degree if the person penetrates the vagina, anus or penis of another with any object other than the penis or mouth of the actor and the victim is under 14 years of age. Unlawful sexual penetration in the second degree is a class B felony.

Or. Rev. Stat. § 163.411

A person commits the crime of unlawful sexual penetration in the first degree if the person penetrates the vagina, anus or penis of another with any object other than the penis or mouth of the actor and the victim is under 12 years of age. Unlawful sexual penetration in the first degree is a class A felony.

Or. Rev. Stat. § 163.415

A person commits the crime of sexual abuse in the third degree if the person subjects another person to sexual contact and the victim is incapable of consent by reason of being under 18 years of age. Sexual abuse in the third degree is a Class A misdemeanor.

Or. Rev. Stat. § 163.427

A person commits the crime of sexual abuse in the first degree when that person subjects another person to sexual contact and the victim is less than 14 years of age; or intentionally causes a person under 18 years of age to touch or contact the mouth, anus or sex organs of an animal for the purpose of arousing or gratifying the sexual desire of a person. Sexual abuse in the first degree is a Class B felony.

Or. Rev. Stat. § 163.435

A person 18 years of age or older commits the crime of contributing to the sexual delinquency of a minor if being a male, he engages in sexual intercourse with a female under 18 years of age; or being a female, she engages in sexual intercourse with a male under the age of 18 years of age; or the person engages in deviate sexual intercourse with another person under 18 years of age or causes that person to engage in deviate sexual intercourse. Contributing to the sexual delinquency of a minor is a Class A misdemeanor.

Or. Rev. Stat. § 163.445

A person commits the crime of sexual misconduct if the person engages in sexual intercourse or deviate sexual intercourse with an unmarried person under 18 years of age. Sexual misconduct is a Class C misdemeanor.

PENNSYLVANIA

18 Pa. Cons. Stat. Ann. § 3122.1

Except as provided in section 3121 (relating to rape), a person commits a felony of the second degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is four or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3123

A person commits a felony of the first degree when he or she engages in deviate sexual intercourse with another person who is less than 13 years of age or who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3125

Except as provided in sections relating to rape, statutory sexual assault, involuntary deviate sexual intercourse, and sexual assault, a person who engages in penetration, however slight, of the genitals or anus of the complainant with a part of the person's body for any purpose other than good faith medical, hygienic, or law enforcement procedures, commits aggravated indecent assault, a felony of the second degree if the complainant is less than 13 years of age or the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

18 Pa. Cons. Stat. Ann. § 3126

A person who has indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if the complainant is less than 13 years of age. Indecent contact under this subsection is a misdemeanor of the first degree.

A person who has indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other. Indecent contact under this subsection is a misdemeanor of the second degree.

RHODE ISLAND

R.I. Gen. Laws § 11-37-6

A person is guilty of third degree sexual assault if he or she is over the age of 18 years and engaged in sexual penetration with another person over the age of 14 years and under the age of consent, 16 years of age.

R.I. Gen. Laws § 11-37-8.1

A person is guilty of first degree child molestation sexual assault if he or she engages in sexual penetration with a person 14 years of age or under.

R.I. Gen. Laws § 11-37-8.3

A person is guilty of a second degree child molestation sexual assault if he or she engages in sexual contact with another person 14 years of age or under.

SOUTH CAROLINA**S.C. Code Ann. § 16-3-655**

A person is guilty of criminal sexual conduct in the first degree if the actor engages in sexual battery with the victim who is less than 11 years of age. A person is guilty of criminal sexual conduct in the second degree if the actor engages in sexual battery with a victim who is 14 years of age or less but who is at least 11 years of age. A person is guilty of criminal sexual conduct in the second degree if the actor engages in sexual battery with a victim who is at least 14 years of age but who is less than 16 years of age and the actor is in a position of familial, custodial, or official authority to coerce the victim to submit or is older than the victim.

S.C. Code Ann. § 16-3-810

It is unlawful for any person to employ, authorize, or induce a child younger than 18 years of age to engage in a sexual performance. It is unlawful for a parent or legal guardian or custodian of a child younger than 18 years of age to consent to the participation of a child in a sexual performance.

S.C. Code Ann. § 16-3-820

It is unlawful for any person to produce, direct, or promote a performance that includes sexual conduct by a child younger than 18 years of age.

S.C. Code Ann. § 16-15-140

It is unlawful for a person over the age of fourteen years to willfully and lewdly commit or attempt a lewd or lascivious act upon or with the body, or its parts, of a child under the age of 16 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of the person or of the child. A person violating this section is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than 15 years, or both.

SOUTH DAKOTA**S.D. Codified Laws § 22-22-1**

Rape is an act of sexual penetration accomplished with any person if the victim is less than 10 years of age, or if the victim is 10 years of age, but less than 16 years of age, and the perpetrator is at least three years older than the victim.

S.D. Codified Laws § 22-22-2

Sexual penetration means an act, however slight, of sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of the body or of any object into the genital or anal openings of another person's body. All of the

foregoing acts of sexual penetration, except sexual intercourse, are also defined as sodomy.

Practitioners of the healing arts lawfully practicing within the scope of their practice, which determination shall be conclusive as against the state and shall be made by the court prior to trial, are not included within the provisions of this section.

S.D. Codified Laws § 22-22-7

Any person, 16 years of age or older, who knowingly engages in sexual contact with another person, other than that person's spouse if the other person is under the age of 16 years is guilty of a class 3 felony. If the actor is less than three years older than the other person, the actor is guilty of a class 1 misdemeanor.

S.D. Codified Laws § 22-22-7.1

Sexual contact means any touching, not amounting to rape, of the breasts of a female or the genitalia or anus of any person with the intent to arouse or gratify the sexual desire of either party.

Practitioners of the healing arts lawfully practicing within the scope of their practice, which determination shall be conclusive as against the state and shall be made by the court prior to trial, are not included within the provisions of this section.

S.D. Codified Laws § 22-22-19.1

Any person, 14 years of age or older, who knowingly engages in sexual contact with another person, other than that person's spouse, if the other person is under the age of 21 and is within the degree of consanguinity or affinity with which marriages are by the laws of this state declared void, is guilty of a class 5 felony.

S.D. Codified Laws § 22-22-22

Prohibited sexual act means sexual intercourse, anal intercourse, masturbation, bestiality, sadism, masochism, fellatio, cunnilingus, or incest and any other sexual activity including nudity if such sexual activity is depicted for the purpose of sexual stimulation or gratification of any person who might view such depiction. Encouraging, aiding, abetting or enticing any person to commit any such prohibited sexual act as provided in this section is a prohibited sexual act.

S.D. Codified Laws § 22-22-30.1

Criminal pedophilia is any act of sexual penetration accomplished with a victim less than 13 years of age by any person 26 years of age or older under any circumstances not constituting incest. Criminal pedophilia is a Class 1 felony. If any person is convicted of criminal pedophilia, the court shall impose a minimum sentence of 25 years.

TENNESSEE

Tenn. Code Ann. § 39-13-504

Aggravated sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim who is less than 13 years of age. Aggravated sexual battery is a class B felony.

Tenn. Code Ann. § 39-13-506

Statutory rape is sexual penetration of a victim by the defendant or of the defendant by the victim when the victim is at least 13 but less than 18 years of age and the defendant is at least four years older than the victim. Statutory rape is a class E felony.

Tenn. Code Ann. § 39-13-522

Rape of a child is the unlawful sexual penetration of a victim by the defendant or the defendant by a victim, if such victim is less than 13 years of age. Rape of a child is a class A felony.

Tenn. Code Ann. § 39-13-527

Sexual battery by an authority figure is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by all of the following circumstances: (1) the victim is 13 years of age or older but less than 18 years of age; and either (2) the defendant had at the time of the offense supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional, or occupational status and used such power to accomplish the sexual contact; or (3) the defendant had at the time of the offense, parental or custodial authority over the victim and used such authority to accomplish the sexual contact. Sexual battery by an authority figure is a class C felony.

TEXAS**Tex. Penal Code Ann. § 21.11**

A person commits an offense if, with a child younger than 17 years and not his spouse, whether the child is of the same or opposite sex, he: (1) engages in sexual contact with the child; or (2) exposes his anus or any part of his genitals, knowing the child is present, with intent to arouse or gratify the sexual desire of any person. An offense under division (1) is a felony of the second degree and an offense under division (2) is a felony of the third degree.

Tex. Penal Code Ann. § 22.011

A person commits an offense if the person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means; causes the penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of the child to contact the anus or sexual organ of another person, including the actor. Child means a person younger than 17 years of age who is not the spouse of the actor. An offense under this section is a felony of the second degree.

Tex. Penal Code Ann. § 22.021

A person commits an offense if the person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means; causes the penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of the child to contact the anus or sexual organ of another person, including the actor; and the victim is younger than 14 years of age. An offense under this

section is a felony of the first degree.

UTAH

Utah Code Ann. § 76-5-401

For purposes of this section "minor" is a person who is 14 years of age or older, but younger than 16 years of age, at the time the sexual activity described in this section occurred.

A person commits unlawful sexual activity with a minor if, under circumstances not amounting to rape, in violation of Section 76-5-402, object rape, in violation of Section 76-5-402.2, forcible sodomy, in violation of Section 76-5-403, or aggravated sexual assault, in violation of Section 76-5-405, the actor: (a) has sexual intercourse with the minor; (b) engages in any sexual act with the minor involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant; or (c) causes the penetration, however slight, of the genital or anal opening of the minor by any foreign object, substance, instrument, or device, including a part of the human body, with the intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person, regardless of the sex of any participant.

A violation is a third degree felony unless the defendant establishes by a preponderance of the evidence the mitigating factor that the defendant is less than four years older than the minor at the time the sexual activity occurred, in which case it is a class B misdemeanor.

Utah Code Ann. § 76-5-401.1

For purposes of this section "minor" is a person who is 14 years of age or older, but younger than 16 years of age, at the time the sexual activity described in this section occurred.

A person commits sexual abuse of a minor if the person is seven years or more older than the minor and, under circumstances not amounting to rape, in violation of Section 76-5-402, object rape, in violation of Section 76-5-402.2, forcible sodomy, in violation of Section 76-5-403, aggravated sexual assault, in violation of Section 76-5-405, unlawful sexual activity with a minor, in violation of Section 76-5-401, or an attempt to commit any of those offenses, the person touches the anus, buttocks, or any part of the genitals of the minor, or touches the breast of a female minor, or otherwise takes indecent liberties with the minor, or causes a minor to take indecent liberties with the actor or another person, with the intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person regardless of the sex of any participant.

A violation of this section is a class A misdemeanor.

Utah Code Ann. § 76-5-401.2

For purposes of this section "minor" means a person who is 16 years of age or older, but younger than 18 years of age, at the time the sexual conduct described in this section occurred.

A person commits unlawful sexual conduct with a minor if, under circumstances not amounting to rape, in violation of Section 76-5-402, object rape, in violation of Section 76-5-402.2, forcible sodomy, in violation of Section 76-5-403, or aggravated sexual assault, in violation of Section 76-5-405, the actor who is ten or more years older than the minor at the time of the sexual conduct: (a) has sexual intercourse with the minor; (b) engages in any sexual act with the minor involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant; or (c) causes the penetration, however slight, of the genital or anal opening of the minor by any foreign object, substance, instrument, or device, including a part of the human body, with the intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person, regardless of the sex of any participant.

(3) A violation of Subsection (2) is a third degree felony.

Utah Code Ann. § 76-5-402.1

A person commits rape of a child when the person has sexual intercourse with a child who is under the age of 14. Rape of a child is a first degree felony punishable by imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory in accordance with section 76-3-406.

Utah Code Ann. § 76-5-402.2

A person who, without the victim's consent, causes the penetration, however slight, of the genital or anal opening of another person who is 14 years of age or older, by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the victim or with the intent to arouse or gratify the sexual desire of any person, commits an offense which is punishable as a felony of the first degree.

Utah Code Ann. § 76-5-402.3

A person commits object rape of a child when the person causes the penetration, however slight, of the genital or anal opening of a child who is under the age of 14 by any foreign object, substance, instrument, or device, not including a part of the human body, with intent to cause substantial emotional or bodily pain to the child or with the intent to arouse or gratify the sexual desire of any person. Object rape of a child is a first degree felony punishable by imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory in accordance with section 76-3-406.

Utah Code Ann. § 76-5-403

A person commits sodomy when the actor engages in any sexual act with a person who is 14 years of age or older involving the genitals of one person and mouth or anus of another person, regardless of the sex of either participant. Sodomy is a class B misdemeanor.

Utah Code Ann. § 76-5-403.1

A person commits sodomy upon a child if the actor engages in any sexual act upon or with a child who is under the age of 14, involving the genitals or anus of the actor or the child and the mouth or anus of either person, regardless of the sex of either participant. Sodomy upon a child is a first degree felony punishable by

imprisonment for an indeterminate term of not less than 6, 10, or 15 years and which may be for life. Imprisonment is mandatory in accordance with section 76-3-406.

Utah Code Ann. § 76-5-404

A person commits forcible sexual abuse if the victim is 14 years of age or older and, under circumstances not amounting to rape, object rape, sodomy, or attempted rape or sodomy, the actor touches the anus, buttocks, or any part of the genitals of another, or touches the breast of a female, or otherwise takes indecent liberties with another, or causes another to take indecent liberties with the actor or another, with intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person, without the consent of the other, regardless of the sex of any participant. Forcible sexual abuse is a felony of the second degree.

Utah Code Ann. § 76-5-404.1

A person commits sexual abuse of a child if, under circumstances not amounting to rape of a child, object rape of a child, sodomy upon a child, or an attempt to commit any of these offenses, the actor touches the anus, buttocks, or genitalia of any child, the breast of a female child younger than 14 years of age, or otherwise takes indecent liberties with a child, or causes a child to take indecent liberties with the actor or another with intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person regardless of the sex of any participant.

Sexual abuse of a child is punishable as a second degree felony.

A person commits aggravated sexual abuse of a child when in conjunction with the offense described in Subsection (1) any of the following circumstances have been charged and admitted or found true in the action for the offense: (a) the offense was committed by the use of a dangerous weapon, or by force, duress, violence, intimidation, coercion, menace, or threat of harm, or was committed during the course of a kidnaping; (b) the accused caused bodily injury or severe psychological injury to the victim during or as a result of the offense; (c) the accused was a stranger to the victim or made friends with the victim for the purpose of committing the offense; (d) the accused used, showed, or displayed pornography or caused the victim to be photographed in a lewd condition during the course of the offense; (e) the accused, prior to sentencing for this offense, was previously convicted of any felony, or of a misdemeanor involving a sexual offense; (f) the accused committed the same or similar sexual act upon two or more victims at the same time or during the same course of conduct; (g) the accused committed, in Utah or elsewhere, more than five separate acts, which if committed in Utah would constitute an offense described in this chapter, and were committed at the same time, or during the same course of conduct, or before or after the instant offense; (h) the offense was committed by a person who occupied a position of special trust in relation to the victim; "position of special trust" means that position occupied by a person in a position of authority, who, by reason of that position is able to exercise undue influence over the victim, and includes, but is not limited to, a youth leader or recreational leader who is an adult, adult athletic manager, adult coach, teacher, counselor, religious leader, doctor, employer, foster parent, baby-sitter, adult scout leader, natural parent, stepparent, adoptive parent, legal guardian, grandparent, aunt, uncle, or adult cohabitant of a parent; (i) the accused encouraged, aided, allowed, or benefited from acts of prostitution or sexual acts by the victim with any other person, or sexual performance by the victim before any other person; or (j)

the accused caused the penetration, however slight, of the genital or anal opening of the child by any part or parts of the human body other than the genitals or mouth.

Aggravated sexual abuse of a child is a first degree felony punishable by imprisonment.

Utah Code Ann. § 76-5-406

An act of sexual intercourse, rape, attempted rape, rape of a child, attempted rape of a child, object rape, attempted object rape, object rape of a child, attempted object rape of a child, sodomy, attempted sodomy, forcible sodomy, attempted forcible sodomy, sodomy upon a child, attempted sodomy upon a child, forcible sexual abuse, attempted forcible sexual abuse, sexual abuse of a child, attempted sexual abuse of a child, aggravated sexual abuse of a child, attempted aggravated sexual abuse of a child, or simple sexual abuse is without consent of the victim under any of the following circumstances: the victim is younger than 14 years of age; the victim is younger than 18 years of age and at the time of the offense the actor was the victim's parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust in relation to the victim; or the victim is 14 years of age or older, but not older than 17, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to the force or threat.

Utah Code Ann. § 76-9-702.5

A person is guilty of lewdness involving a child if the person under circumstances not amounting to rape of a child, object rape of a child, sodomy upon a child, sexual abuse of a child, aggravated sexual abuse of a child, or an attempt to commit any of those offenses, intentionally or knowingly does any of the following to, or in the presence of a child who is under 14 years of age: (a) performs an act of sexual intercourse or sodomy; (b) exposes his or her genitals, the female breast below the top of the areola, the buttocks, the anus, or pubic area: in a public place; or in a private place: under circumstances the person should know will likely cause affront or alarm; or with the intent to arouse or gratify the sexual desire of the actor or the child; (c) masturbates; (d) engages in trespassory voyeurism; (e) under circumstances not amount to sexual exploitation of a child, causes a child under the age of 14 years to expose his or her genitals, anus, or breast, if female, to the actor, with the intent to arouse or gratify the sexual desire of the actor or the child; or (f) performs any other act of lewdness. Lewdness involving a child is a class A misdemeanor.

VERMONT

Vt. Stat. Ann. tit. 13, § 2602

A person who shall willfully and lewdly commit any lewd or lascivious act upon or with the body, or any part or member thereof, of a child under the age of 16 years, with the intent of arousing, appealing to, or gratifying the lust, passions or sexual desires of such person or of such child, shall be imprisoned for the first offense not less than one year nor more than five years or fined not more than \$3,000, or both; for the second offense, not less than two years and not more than 10 years or fined not more than \$5,000 or both; for the third or subsequent offense, not less than three years and not more than 20 years or fined not more than \$10,000 or both.

Vt. Stat. Ann. tit. 13, § 3252

A person who engages in a sexual act with another person and the other person is under the age of 16, except where the persons are married to each other and the sexual act is consensual; or the other person is under the age of 18 and is entrusted to the actor's care by authority of law or is the actor's child, grandchild, foster child, adopted child or step-child, shall be imprisoned for not more than 20 years, or fined not more than \$10,000 or both.

A person who engages in a sexual act with another person under the age of 16 and the victim is entrusted to the actor's care by authority of law or is the actor's child, grandchild, foster child, adopted child or step-child; or the actor is at least 18 years of age, resides in the victim's household

and serves in a parental role with respect to the victim, shall be imprisoned for not more than 35 years, or fined not more than \$25,000, or both.

Vt. Stat. Ann. tit. 13, § 3253

A person commits the crime of aggravated sexual assault if the person commits sexual assault under any one of the following circumstances the victim is under the age of 10 and the actor is at least 18 years of age. A person who commits the crime of aggravated sexual assault shall be punishable by a maximum sentence of life imprisonment or a fine of not more than \$50,000, or both.

VIRGINIA

Va. Code Ann. § 18.2-61

If any person has sexual intercourse with a complaining witness who is not his or her spouse or causes a complaining witness, whether or not his or her spouse, to engage in sexual intercourse with any other person and such act is accomplished with a child under age 13 as the victim, he or she shall be guilty of rape. A violation of this section shall be punishable, in the discretion of the court or jury, by confinement in a state correctional facility for life or for any term not less than five years. There shall be a rebuttable presumption that a juvenile over the age of 10 but less than 12, does not possess the physical capacity to commit a violation of this section.

Va. Code Ann. § 18.2-63

If any person carnally knows, without the use of force, a child 13 years of age or older but under 15 years of age, such person shall be guilty of a class 4 felony. However, if such child is 13 years of age or older but under 15 years of age and consents to sexual intercourse and the accused is a minor and such consenting child is three years or more the accused's junior, the accused shall be guilty of a class 6 felony. If such consenting child is less than three years the accused's junior, the accused shall be guilty of a class 4 misdemeanor.

For the purposes of this section, a child under the age of 13 years shall not be considered a consenting child and carnal knowledge includes the acts of sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, and animate and inanimate object sexual penetration.

Va. Code Ann. § 18.2-67.1

An accused shall be guilty of forcible sodomy if he or she engages in cunnilingus, fellatio, anilingus, or anal intercourse with a complaining witness who is not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person, and the complaining witness is less than 13 years of age. Forcible sodomy is a felony punishable by confinement in a state correctional facility for life or for any term of years not less than five years.

Va. Code Ann. § 18.2-67.2

An accused shall be guilty of inanimate or animate object sexual penetration if he or she penetrates the labia majora or anus of a complaining witness who is not his or her spouse with any object, other than for a bona fide medical purpose, or causes such complaining witness to so penetrate his or her own body with an object or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person or to penetrate, or to be penetrated by, an animal, and the complaining witness is less than 13 years of age. Inanimate or animate object sexual penetration is a felony punishable by confinement in the state correctional facility for life or for any term not less than five years.

Va. Code Ann. § 18.2-67.3

An accused shall be guilty of aggravated sexual battery if he or she sexually abuses the complaining witness, and: (1) the complaining witness is less than 13 years of age, or (2) the act is accomplished against the will of the complaining witness, by force, threat or intimidation, or through the use of the complaining witness's mental incapacity or physical helplessness, and the complaining witness is at least thirteen but less than fifteen years of age. Aggravated sexual battery is a felony punishable by confinement in a state correctional facility for a term of not less than one nor more than 20 years and by a fine of not more than \$100,000.

Va. Code Ann. § 18.2-361

Any person who carnally knows by the anus or by or with the mouth his daughter or granddaughter, son or grandson, brother or sister, or father or mother shall be guilty of a class 5 felony. However, if a parent or grandparent commits any such act with his child or grandchild and such child or grandchild is at least 13 but less than 18 years of age at the time of the offense, such parent or grandparent shall be guilty of a class 3 felony.

Va. Code Ann. § 18.2-366

Any person who commits adultery or fornication with his daughter or granddaughter, or with her son or grandson, or her father or his mother, shall be guilty of a class 5 felony. However, if a parent or grandparent commits adultery or fornication with his or her child or grandchild, and such child or grandchild is at least 13 years of age but less than 18 years of age at the time of the offense, such parent or grandparent shall be guilty of a class 3 felony.

Va. Code Ann. § 18.2-370

Any person 18 years of age or over, who, with lascivious intent, shall knowingly and intentionally: (1) Expose his or her sexual or genital parts to any child under the age of 14 years to whom such person is not legally married or propose that any such child expose his or her sexual or genital parts to such person; or (2) Propose that any such child feel or fondle the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any such child; or (3) Propose to such child the performance of an act of sexual intercourse or any

act constituting an offense under § 18.2-361; or (4) Entice, allure, persuade, or invite any such child to enter any vehicle, room, house, or other place, for any of the purposes set forth in the preceding subdivisions of this section, shall be guilty of a class 6 felony.

Va. Code Ann. § 18.2-370.1

Any person 18 years of age or older who maintains a custodial or supervisory relationship over a child under the age of 18, including but not limited to the parent, step-parent, grandparent, step-grandparent, or who stands in loco parentis with respect to such child and is not legally married to such child, and who, with lascivious intent, knowingly and intentionally proposes that any such child feel or fondle the sexual or genital parts of such person or that such person feel or handle the sexual or genital parts of the child, or proposes to such child the performance of an act of sexual intercourse or any act constituting an offense under § 18.2-361, or exposes his or her sexual or genital parts to such child, or proposes that any such child expose his or her sexual or genital parts to such person, or proposes to the child that the child engage in sexual intercourse, sodomy or fondling of sexual or genital parts with another person, or sexually abuses the child shall be guilty of a class 6 felony.

Va. Code Ann. § 18.2-371

Any person 18 years of age or older, including the parent of any child, who engages in consensual sexual intercourse with a child 15 or older not his spouse, child, or grandchild, shall be guilty of a class 1 misdemeanor.

WASHINGTON

Wash. Rev. Code Ann. § 9A.44.010

Sexual intercourse: a) has its ordinary meaning and occurs upon any penetration, however slight; b) also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; c) and also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.

Sexual contact means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.

Significant relationship means a situation in which the perpetrator is: A person who undertakes the responsibility, professionally or voluntarily, to provide education, health, welfare, or organized recreational activities principally for minors; or a person who in the course of his or her employment supervises minors.

Abuse of a supervisory position means a direct or indirect threat or promise to use authority to the detriment or benefit of a minor.

Person with supervisory authority means any proprietor or employee of any public or private care or treatment facility who directly supervises developmentally disabled, mentally disordered, or chemically dependent persons at the facility.

Wash. Rev. Code Ann. § 9A.44.073

A person is guilty of rape of a child in the first degree when the person has sexual intercourse with another who is less than 12 years old and not married to the perpetrator and the perpetrator is at least 24 months older than the victim. Rape of a child in the first degree is a class A felony.

Wash. Rev. Code Ann. § 9A.44.076

A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least 12 years old but less than 14 years old and not married to the perpetrator and the perpetrator is at least 36 months older than the victim. Rape of a child in the second degree is a class A felony.

Wash. Rev. Code Ann. § 9A.44.079

A person is guilty of rape of a child in the third degree when the person has sexual intercourse with another who is at least 14 years old but less than 16 years old and not married to the perpetrator and the perpetrator is at least 48 months older than the victim. Rape of a child in the third degree is a class C felony.

Wash. Rev. Code Ann. § 9A.44.083

A person is guilty of child molestation in the first degree when the person has, or knowingly causes another person under the age of 18 to have, sexual contact with another who is less than 12 years old and not married to the perpetrator and the perpetrator is at least 36 months older than the victim. Child molestation in the first degree is a class A felony.

Wash. Rev. Code Ann. § 9A.44.086

A person is guilty of child molestation in the second degree when the person has, or knowingly causes another person under the age of 18 to have, sexual contact with another who is at least 12 years old but less than 14 years old and not married to the perpetrator and the perpetrator is at least 36 months older than the victim. Child molestation in the second degree is a class B felony.

Wash. Rev. Code Ann. § 9A.44.089

A person is guilty of child molestation in the third degree when the person has, or knowingly causes another person under the age of 18 to have, sexual contact with another who is at least 14 years old but less than 16 years old and not married to the perpetrator and the perpetrator is at least 48 months older than the victim. Child molestation in the third degree is a class C felony.

Wash. Rev. Code Ann. § 9A.44.093

A person is guilty of sexual misconduct with a minor in the first degree when the person has, or knowingly causes another person under the age of 18 to have, sexual intercourse with another person who is at least 16 years old but less than 18 years old and not married to the perpetrator, if the perpetrator is at least 60 months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of 18 to engage in sexual intercourse with the victim. Sexual misconduct with a minor in the first degree is a class C felony.

Wash. Rev. Code Ann. § 9A.44.096

A person is guilty of sexual misconduct with a minor in the second degree when the

person has, or knowingly causes another person under the age of 18 to have, sexual contact with another person who is at least 16 years old but less than 18 years old and not married to the perpetrator, if the perpetrator is at least 60 months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of 18 to engage in sexual contact with the victim. Sexual misconduct with a minor in the second degree is a gross misdemeanor.

WEST VIRGINIA

W. Va. Code § 61-8B-2

Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without the consent of the victim. A person is deemed incapable of consent when such person is less than sixteen years old.

W. Va. Code § 61-8B-3

A person is guilty of sexual assault in the first degree when such person, being 14 years old or more, engages in sexual intercourse or sexual intrusion with another person who is 11 years old or less. Any person who violates this section shall be guilty of a felony, and, upon conviction, shall be imprisoned in the penitentiary not less than 15 nor more than 35 years, or fined not less than \$1,000 nor more than \$10,000 and imprisoned in the penitentiary not less than 15 nor more than 35 years.

W. Va. Code § 61-8B-5

A person is guilty of sexual assault in the third degree when such person, being 16 years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than 16 years old and who is at least four years younger than the defendant. Any person who violates the provisions of this section shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not less than one year nor more than five years, or fined not more than \$10,000 and imprisoned in the penitentiary not less than one year nor more than five years.

W. Va. Code § 61-8B-7

A person is guilty of sexual abuse in the first degree when such person, being fourteen years old or more, subjects another person to sexual contact who is eleven years old or less. Any person who violates the provisions of this section shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not less than one year nor more than five years, or fined not more than ten thousand dollars and imprisoned in the penitentiary not less than one year nor more than five years.

W. Va. Code § 61-8B-9

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent, when such lack of consent is due to the victim's incapacity to consent by reason of being less than sixteen years old.

In any prosecution under this section it is a defense that: (1) The defendant was less than sixteen years old; or (2) The defendant was less than four years older

than the victim.

Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail not more than ninety days, or fined not more than five hundred dollars and confined in the county jail not more than ninety days.

W. Va. Code § 61-8D-1

Sexual contact means any intentional touching, either directly or through clothing, of the anus or any part of the sex organs of another person, or the breasts of a female or intentional touching of any part of another person's body by the actor's sex organs, where the victim is not married to the actor and the touching is done for the purpose or gratifying the sexual desire of either party.

Sexual intercourse means any act between persons not married to each other involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.

Sexual intrusion means any act between persons not married to each other involving penetration, however slight, of the female sex organ or of the anus of any person by an object for the purpose of degrading or humiliating the person so penetrated or for gratifying the sexual desire of either party.

W. Va. Code § 61-8D-5

If any parent, guardian or custodian of a child under his or her care, custody or control, shall engage in or attempt to engage in sexual exploitation of, or in sexual intercourse or sexual contact with, a child under his or her care, custody or control, notwithstanding the fact that the child may have willingly participated in such conduct, or the fact that the child may have consented to such conduct or the fact that the child may have suffered no apparent physical injury or mental or emotional injury as a result of such conduct, then such guardian or custodian shall be guilty of a felony.

If any parent, guardian or custodian shall knowingly procure another person to engage in or attempt to engage in sexual exploitation of, or sexual intercourse, sexual intrusion or sexual contact with, a child under the care, custody or control of such parent, guardian or custodian when such child is less than 16 years of age, notwithstanding the fact that the child may have willingly participated in such conduct or the fact that the child may have suffered no apparent physical injury or mental or emotional injury as a result of such conduct, such parent, guardian or custodian shall be guilty of a felony.

If any parent, guardian or custodian shall knowingly procure another person to engage in or attempt to engage in sexual exploitation of, or sexual intercourse, sexual intrusion or sexual contact with, a child under the care, custody or control of such parent, guardian or custodian when such child is 16 years of age or older, notwithstanding the fact that the child may have consented to such conduct or the fact that the child may have suffered no apparent physical injury or mental or emotional injury as a result of such conduct, then such parent, guardian or custodian shall be guilty of a misdemeanor. The provisions of this section shall not apply to a custodian whose age exceeds the age of the child by less than four years.

WISCONSIN

Wis. Stat. Ann. § 948.02

Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of a class B felony. Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of a class BC felony. If a person violates either of the above provisions, and the person is responsible for the welfare of the child who is the victim of the violation, the maximum term of imprisonment may be increased by not more than five years.

Wis. Stat. Ann. § 948.025

Whoever commits 3 or more violations of first or second degree sexual assault of a child within a specified period of time involving the same child is guilty of a class B felony.

Wis. Stat. Ann. § 948.06

Whoever marries or has sexual intercourse or sexual contact with a child he or she knows is related, either by blood or adoption, and the child is related in a degree of kinship closer than second cousin is guilty of a class BC felony.

Wis. Stat. Ann. § 948.095

Whoever has sexual contact or sexual intercourse with a child who has attained the age of 16 years of age and who is not the defendant's spouse is guilty of a class D felony if all of the following apply: the child is enrolled as a student in a school or school district; and the defendant is a member of the school staff of the school district in which the child is enrolled as a student.

Wis. Stat. Ann. § 948.10

Whoever, for purposes of sexual arousal or sexual gratification, causes a child to expose genitals or pubic area or exposes genitals or pubic area to a child is guilty of a class A misdemeanor.

WYOMING

Wyo. Stat. Ann. § 6-2-303

Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree: at the time of the commission of the act the victim is less than 12 years of age and the actor is at least four years older than the victim.

Wyo. Stat. Ann. § 6-2-304

Except under circumstances constituting a violation of § 14-3-105, an actor commits sexual assault in the third degree if, under circumstances not constituting sexual assault in the first or second degree: (a) the actor is at least four years older than the victim and inflicts sexual intrusion on a victim under the age of 16 years; or (b) the actor is an adult and subjects a victim under the age of 14 years to sexual contact without inflicting sexual intrusion on the victim and without causing serious bodily injury to the victim.

Wyo. Stat. Ann. § 6-2-308

If criminality of conduct in this article depends on a victim being under 16 years of age, it is an affirmative defense that the actor reasonably believed that the victim was 16 years of age or older.

If criminality of conduct in this article depends on a victim being under 14 years of age, it is no defense that the actor did not know the victim's age, or that he reasonably believed that the victim was 14 years of age or older.

Wyo. Stat. Ann. § 14-3-105

Any person knowingly taking immodest, immoral or indecent liberties with any child or knowingly causing or encouraging any child to cause or encourage another child to commit with him any immoral or indecent act is guilty of a felony. Except as provided below, a person convicted under this section shall be fined not less than \$100 nor more than \$1,000 or imprisoned in the penitentiary not more than 10 years or both.

An actor convicted under the above provision shall be punished by life imprisonment without parole, if: (i) the circumstances of the crime involve a victim who was under the age of 16 at the time of the offense and an actor who was at least four years older than the victim; and (ii) the actor has two or more previous convictions for [enumerated offenses] which convictions resulted from charges separately brought which arose out of separate occurrences in this state or elsewhere.

As used in this section, child means a person under the age of 18 years.

FEDERAL LEGISLATION

U.S. CODE

18 U.S.C.A. § 2241

Whoever crosses a state line with intent to engage in a sexual act with a person who has not attained the age of 12 years, or in the special maritime and territorial jurisdiction of the United States or in a federal prison, knowingly engages in a sexual act with another person who has not attained the age of 12 years, or knowingly engages in a sexual act under the circumstances described in subsections (a) and (b) or this section [abuse by force or threat or incapacitation] with another person who has attained the age of 12 years but has not attained the age of 16 years (and is at least four years younger than the person so engaging), or attempts to do so, shall be fined under this title, imprisoned for any term of years or life, or both. If the defendant has previously been convicted of another federal offense under this subsection, or of a state offense that would have been an offense under either such provision had the offense occurred in a federal prison, unless the death penalty is imposed, the defendant shall be sentenced to life in prison.

In a prosecution under this subsection, the government need not prove that the defendant knew that the other person engaging in the sexual act had not attained the age of 12 years.

18 U.S.C.A. § 2243

Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, knowingly engages in a sexual act with another person who: a) has attained the age of 12 years but has not attained the age of 16 years; and is at least four years younger than the person so engaging, or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both.

18 U.S.C.A. § 2244

Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, knowingly engages in or causes sexual contact with or by another person, if so to do would violate: a) section 2241 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than ten years, or both; b) section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than two years, or both.

If the sexual contact that violates this section is with an individual who has not attained the age of 12 years, the maximum term of imprisonment that may be imposed for the offense shall be twice that otherwise provided in this section.

18 U.S.C.A. § 2245

The term sexual act means: a) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however, slight; b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; or c) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual contact means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Serious bodily injury means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.