

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1307. Sexual Abuse of a Minor in the Second Degree.

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

(1) 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;

(2) 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;

(3) 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;

(4) 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 conduct described in 6 CMC § 1314 (a)(2)-(6); or

(5) being 18 years of age or older, the offender engages in sexual contact with a person who is under 16 years of age, and

(A) 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

(B) the offender occupies a position of authority in relation to the victim.

(b) Sexual Abuse of a Minor in the second degree is punishable by imprisonment for not less than five years and not more than fifteen years, and a fine of not more than \$10,000, or both. Notwithstanding any other provision of law, a person sentenced under this provision and 6 CMC section 4252 shall not be eligible for parole, if at all, until two-thirds of this minimum sentence (1,217 days) has been served.

Source: PL 3-71, § 1 (§ 410); repealed and replaced by PL 12-82, § 3 (1307); subsection (b) amended by PL 18-3, § 5 (March 15, 2013).

Commission Comment: See comment to 6 CMC § 1301 regarding PL 12-82. The Commission struck the figures "5" and "15" from subsection (b) pursuant to 1 CMC § 3806(e).