

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

§ 1309. Sexual Abuse of a Minor in the Fourth Degree.

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

(1) 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

(2) 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.

(b) Sexual Abuse of a Minor in the fourth degree is punishable by imprisonment for not less than one hundred twenty days and not more than one year, a fine of not more than \$1,000, 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 (80 days) has been served.

Source: PL 3-71, § 1 (§ 412); amended by PL 3-72, § 2 (§ 412); repealed and replaced by PL 12-82, § 3 (1309); subsection (b) amended by PL 18-3, § 7 (March 15, 2013).

Commission Comment: See comment to 6 CMC § 1301 regarding PL 12-82. The Commission struck the figure “120” from subsection (b) pursuant to 1 CMC § 3806(e).