



General Assembly

January Session, 2001

Amendment

LCO No. 6110

Offered by:

REP. CAFERO, 142nd Dist.

To: Subst. House Bill No. 5654

File No. 565

Cal. No. 385

"AN ACT CONCERNING THE STATUTE OF LIMITATIONS ON THE PROSECUTION OF OFFENSES INVOLVING THE SEXUAL ASSAULT OF A MINOR."

1 After line 43, add the following and renumber the remaining
2 sections accordingly:

3 "Sec. 3. Section 53a-71 of the general statutes is repealed and the
4 following is substituted in lieu thereof:

5 (a) A person is guilty of sexual assault in the second degree when
6 such person engages in sexual intercourse with another person and: (1)
7 Such other person is thirteen years of age or older but under sixteen
8 years of age and the actor is more than two years older than such
9 person, provided the actor and such other person were not married at
10 the time of the offense or did not become married prior to the initiation
11 of a prosecution by complaint or information; or (2) such other person
12 is mentally defective to the extent that such other person is unable to
13 consent to such sexual intercourse; or (3) such other person is
14 physically helpless; or (4) such other person is less than eighteen years

15 old and the actor is such person's guardian or otherwise responsible
16 for the general supervision of such person's welfare; or (5) such other
17 person is in custody of law or detained in a hospital or other institution
18 and the actor has supervisory or disciplinary authority over such other
19 person; or (6) the actor is a psychotherapist and such other person is
20 (A) a patient of the actor and the sexual intercourse occurs during the
21 psychotherapy session, (B) a patient or former patient of the actor and
22 such patient or former patient is emotionally dependent upon the
23 actor, or (C) a patient or former patient of the actor and the sexual
24 intercourse occurs by means of therapeutic deception; or (7) the actor
25 accomplishes the sexual intercourse by means of false representation
26 that the sexual intercourse is for a bona fide medical purpose by a
27 health care professional; or (8) the actor is a school employee and such
28 other person is a student enrolled in a school in which the actor works
29 or a school under the jurisdiction of the local or regional board of
30 education which employs the actor.

31 (b) Sexual assault in the second degree is a class C felony for which
32 nine months of the sentence imposed may not be suspended or
33 reduced by the court."