

**§254. Sexual abuse of minors**

1. A person is guilty of sexual abuse of a minor if:

A. The person engages in a sexual act with another person, not the actor's spouse, who is either 14 or 15 years of age and the actor is at least 5 years older than the other person. Violation of this paragraph is a Class D crime; [PL 2001, c. 383, §21 (AMD); PL 2001, c. 383, §156 (AFF).]

A-1. The person violates paragraph A and the actor knows that the other person is related to the actor within the 2nd degree of consanguinity. Violation of this paragraph is a Class C crime; [PL 2001, c. 383, §21 (NEW); PL 2001, c. 383, §156 (AFF).]

A-2. The person violates paragraph A and the actor is at least 10 years older than the other person. Violation of this paragraph is a Class C crime; [PL 2001, c. 383, §21 (NEW); PL 2001, c. 383, §156 (AFF).]

B. [PL 1989, c. 401, Pt. A, §5 (RP).]

C. The person is at least 21 years of age and engages in a sexual act with another person, not the actor's spouse, who is either 16 or 17 years of age 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. Violation of this paragraph is a Class E crime; [PL 2001, c. 383, §21 (AMD); PL 2001, c. 383, §156 (AFF).]

D. The person violates paragraph C and the actor knows that the student is related to the actor within the 2nd degree of consanguinity. Violation of this paragraph is a Class D crime; or [PL 2011, c. 464, §6 (AMD).]

E. The person violates paragraph C and the actor is at least 10 years older than the student. Violation of this paragraph is a Class D crime. [PL 2011, c. 464, §7 (AMD).]

F. [PL 2011, c. 464, §8 (RP).]

[PL 2011, c. 464, §§6-8 (AMD).]

2. It is a defense to a prosecution under subsection 1, paragraphs A, A-1, A-2 and F, that the actor reasonably believed the other person is at least 16 years of age.

[PL 2003, c. 138, §4 (AMD).]

3.

[PL 2001, c. 383, §21 (RP); PL 2001, c. 383, §156 (AFF).]

4. As used in this section, "related to the actor within the 2nd degree of consanguinity" has the meaning set forth in section 556.

[PL 2001, c. 383, §21 (NEW); PL 2001, c. 383, §156 (AFF).]

**SECTION HISTORY**

PL 1975, c. 499, §1 (NEW). PL 1975, c. 740, §50 (AMD). PL 1985, c. 495, §§9,10 (AMD). PL 1989, c. 401, §A5 (AMD). PL 1993, c. 451, §1 (AMD). PL 1995, c. 104, §§1-3 (AMD). PL 1997, c. 460, §§2,3 (AMD). PL 2001, c. 383, §21 (AMD). PL 2001, c. 383, §156 (AFF). PL 2003, c. 138, §§2-4 (AMD). PL 2011, c. 464, §§6-8 (AMD).

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