

§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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