

SENATE BILL REPORT

SB 5177

As of January 22, 2021

Title: An act relating to eliminating proof of nonmarriage as an element of a sex offense.

Brief Description: Eliminating proof of nonmarriage as an element of a sex offense.

Sponsors: Senators Cleveland, Dhingra, Das, Hunt, Nguyen, Pedersen and Wilson, C..

Brief History:

Committee Activity: Law & Justice: 1/25/21.

Brief Summary of Bill

- Removes the requirement that the state prove the perpetrator was not married to the victim as an element of a sex crime involving a minor or vulnerable adult.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Shani Bauer (786-7468)

Background: In 1988, the state created several sex offenses for when the victim of the crime is a minor child or vulnerable adult. Among others, these crimes include rape when the victim is a frail elder or vulnerable adult, rape of a child, child molestation, and sexual misconduct with a minor. Many of these crimes differentiate between degrees depending on the victim's age. All of the crimes include the same terminology, requiring as an element of the crime, the victim not be married to the perpetrator.

Summary of Bill: The requirement that the perpetrator of a sex crime against a minor child or vulnerable adult not be married to the victim at the time of the offense is removed as an element of the crimes.

Appropriation: None.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.