

House Bill 208

In The House

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| January 14, 1981 | Introduced and referred to Committee on Judiciary. |
| January 23, 1981 | Rereferred to Committee on Judiciary. |
| February 12, 1981 | Committee recommend bill do pass as amended. |
| February 13, 1981 | Bill printed and placed on members' desks. |
| February 14, 1981 | Second reading do pass as amended. |
| February 16, 1981 | Correctly engrossed. |
| February 17, 1981 | Third reading passed. |

In The Senate

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| February 18, 1981 | Introduced and referred to Committee on Judiciary. |
| March 18, 1981 | Committee recommend bill not concurred. |

In The House

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| March 19, 1981 | Returned from Senate not concurred. |
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Approved by Committee
on Judiciary

1 HOUSE BILL NO. 208
2 INTRODUCED BY KEEDY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE
5 DEFINITION OF "WITHOUT CONSENT", RELATING TO SEXUAL CRIMES,
6 TO INCLUDE SECTION 45-5-502, MCA, CONCERNING SEXUAL ASSAULT,
7 AMONG THE SECTIONS TO WHICH THE DEFINITION APPLIES; AND
8 AMENDING SECTION 45-5-501, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 45-5-501, MCA, is amended to read:
12 "45-5-501. Definition. As used in ~~45-5-502,~~ 45-5-503,
13 and 45-5-505, the term "without consent" means:

14 (1) ~~the victim is compelled to submit by force or by~~
15 ~~threat of imminent death, bodily injury, or kidnapping to be~~
16 ~~inflicted on anyone not a willing participant in or~~
17 ~~recipient of the contact made upon him~~ COMPELLED TO SUBMIT
18 BY FORCE, COERCION, OR INTIMIDATION OR BY DECEPTION OF
19 THREAT AS DEFINED IN 45-2-101; or

20 (2) the victim is incapable of consent because he is:
21 (a) mentally defective or incapacitated;
22 (b) physically helpless; or
23 (c) EXCEPT IN 45-5-502, less than 16 years old."

-End-

SECOND READING
HB 208

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2 INTRODUCED BY KEEDY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE
5 DEFINITION OF "WITHOUT CONSENT", RELATING TO SEXUAL CRIMES,
6 TO INCLUDE SECTION 45-5-502, MCA, CONCERNING SEXUAL ASSAULT,
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12 "45-5-501. Definition. As used in 45-5-502, 45-5-503,
13 and 45-5-505, the term "without consent" means:

14 (1) ~~the victim is compelled to submit by force or by~~
15 ~~threat of imminent death, bodily injury, or kidnapping to be~~
16 ~~inflicted--on--anyone~~ NOT A WILLING PARTICIPANT IN OR
17 RECIPIENT OF THE CONTACT MADE UPON HIM ~~not--a-willing~~
18 ~~participant-in-or-recipient-of-the-contact-made-upon-him~~
19 ~~COMPELLED--TO--SUBMIT--BY--FORCE--COERCION--OR--INTIMIDATION--OR~~
20 ~~BY--DECEPTION--OF--THREAT--AS--DEFINED--IN--45-2-101~~; or

21 (2) the victim is incapable of consent because he is:

22 (a) mentally defective or incapacitated;

23 (b) physically helpless; or

24 (c) EXCEPT IN 45-5-502, less than 16 years old."

-End-

THIRD READING

HB 208