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**Criminal Justice & Corrections  
Committee**

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**HB 2533**

**Brief Description:** Modifying provisions relating to sexual misconduct with a minor.

**Sponsors:** Representative Nixon.

<p><b>Brief Summary of Bill</b></p>
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| <ul style="list-style-type: none"><li>• Raises the "age of consent" to 18.</li></ul> |
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**Hearing Date:** 1/31/06

**Staff:** Jim Morishima (786-7191).

**Background:**

Generally speaking, the "age of consent" in Washington is 16. In other words, consensual sexual intercourse with a minor 16 or older does not constitute Rape of a Child or Child Molestation. However, consensual sexual intercourse or sexual contact with a person 16 or 17 years of age can be illegal under some special circumstances.

For example, a person is guilty of Sexual Misconduct with a Minor if he or she has sexual intercourse or sexual contact with a victim 16 or 17 years of age and one of the following special circumstances exists:

- The perpetrator is at least five years older than the victim, is in a significant relationship with the victim, and abused a supervisory position within that relationship to have the sexual intercourse or sexual contact;
- The perpetrator is at least five years older than the victim and is an employee of a school, and the victim is a student at the school; or
- The perpetrator is the victim's foster parent.

If the conduct involved is sexual intercourse, the person is guilty of Sexual Misconduct with a Minor in the first degree, which is a class C felony with a seriousness level of V. If the conduct involved is sexual contact, the person is guilty of Sexual Misconduct with a Minor in the second degree, which is a gross misdemeanor.

**Summary of Bill:**

Sexual intercourse or sexual contact with a person 16 or 17 years of age by a person who is at least five years older than the victim constitutes Sexual Misconduct with a Minor under any circumstance.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2006.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.