



TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
HOUSE OF REPRESENTATIVES
COMMITTEE ON JUDICIAL AND GOVERNMENTAL
OPERATIONS

P.O. BOX 500586 SAIPAN, MP 96950

JOEL CAMACHO
CHAIRMAN

STANDING COMMITTEE REPORT NO. 24-4
DATE: April 29, 2025
RE: House Bill 24-01

The Honorable Edmund S. Villagomez
Speaker of the House of Representatives
Twenty-Fourth Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Judicial and Governmental Operations to which was referred:

House Bill No. 24-1:

To amend provisions in Title 6, Chapter 3, Sexual Offenses, Article 1. General Provisions, relating to sexual abuse/assault of minors.

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your committee recommends that House Bill No. 24-01 be passed by the House in the form of House Substitute 1 (HS1.)

II. ANALYSIS:

A. Purpose:

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RECEIVED BY *[Signature]*
DATE 5/12/2025 TIME 1:45pm

The purpose of this Act is to amend Title 6, Chapter 3, Sexual Offenses, Article 1 to updated existing statutes for sexual abuse/assault of minors.

B. Committee Findings:

Your Committee finds that current CNMI statutes should be updated to protect minors, the more vulnerable members of the community, from sexual abuse and assault. Access to minor children due to technological advances and modern sociocultural norms highlights the need for further safeguards. From a collection of statistical data and testimony from the Division of Youth Services, the Attorney General's Office, and the Northern Marianas Coalition for Domestic and Sexual Violence, sexual assault offenses and reports against minors have seen a rise in recent years. The short and long term effects to victim's lives is significant, and the need for urgent action to address crimes of this nature should be of the utmost priority.

Your committee also finds that it is the Legislature's responsibility to create policy that addresses the increasing reports of sexual abuse and assault cases that the local community faces. The amendments to current CNMI statutes will address voyeurism, provide age ranges for what is considered crimes of sexual abuse of a minor, emphasize student protections in educational institutions, provide detailed definitions relevant to sexual assault and abuse, and include admissible evidence of other relevant crimes. This bill aims to provide an answer and a clear message of no tolerance for crimes against children. Therefore, your Committee agrees with the intent and purpose of House Bill 24-1 and recommends it's passage in its current form House Bill 24-1, House Substitute 1.

C. Public Comments/Public Hearing:

The following entitites were invited to present oral testimony on the day of the committee meeting:

- The Northern Marianas Ialands Office of the Public Defender
- The Special Assistant for Programs for Legislative Review
- Department of Public Safety, Department of Fire and Emergency Services
- NMI Judiciary
- Office of Veterans Affairs
- Northern Marianas Coalition Against Domestic and Sexual Violence
- Office of the Attorney General

The Committee received oral comments from the following:

- Chester Hinds, Office of the Attorney General Criminal Division, Chief Prosecutor

“I'm here in support...”

“This bill is really important because it will help with the prosecution of

these cases because sexual abuse of a minor is one of the hardest offenses to prosecute.”

“This bill does not expand a prosecutor’s power but it actually expands the protections of minors.”

“In section 1306 and 1307, the sexual abuse of a minor first degree and second degree that legislation draws a line at the age of 15. The legislation in front of you sets guidelines and limitations for ages.”

“...Another reason why this bill is so important and why it should be passed right away. It will help victims in prosecutions, not two years from now, not 5 years from now. It will help now...”

“The old bill does not protect our children from complete strangers. The bill that I’m suggesting now... that bill changes that.”

“We also added a provision under 1309 for unlawful sexual acts with a student. This is to add extra protections for students who are going to school.”

“We also added a part for general provisions where in this section, we address concerns for there being a defense. For instance, if a potential defendant does not realize the age of the person that they’re with... so that we make sure this law is constitutional.”

“Section 1314, unlawful exploitation of voyeurism... Under this bill, we can now charge someone for being a peeping tom. We couldn’t do that before. We can now charge someone for recording someone without their consent. We couldn’t do that before. We can now someone for revenge porn... We couldn’t charge that before. But we can charge that now with this bill.”

“We have a provision there for admission for other evidence... to allow evidence of repeat offenders to be used at trial.”

- Christine Aldan, Division of Youth Services Child Protective Services.

“I’m here to present information in support of HB 24-01.”

“Our current provisions have not been revised in many years, and as a result they do not fully reflect the severity and complexity of crimes we see today.” “We respectfully ask for your support in moving this bill forward.”

- Maria B. Manglona, Division of Youth Services Child Protective Services, Supervisor.

“I am here to support HB 24-1.”

“This bill is very important because it gives stronger protection to our kids. It sends a message we will no longer tolerate abuse, not from anyone, not from anywhere.”

- Dixie Inos, Office of the Attorney General under the Victim Witness Advocacy

Unit, Victim Witness Coordinator

“I stand before you respectfully asking for your support in reference to HB 24-01. This bill strengthens the protections and safety nets for our children against these acts to include children who are not from the CNMI and lives here and considers the CNMI to be their home.”

- Maisie B. Tenorio, Northern Marianas Coalition Against Domestic and Sexual Violence, Executive Director

“Our message has always been consistent, and I think we all in this room agree that every citizen in the CNMI most especially our children, deserve to live free of violence and abuse. That is what this bill aims to do,”

“Why are we doing this bill? ...To update our statutes and our laws, to expand protections for our children, to ensure we have a way to hold offenders accountable.”

“We encourage you not only to push this bill forward, but as leaders in our community knowing that your constituents are experiencing really horrific and devastating crimes, to really speak out. Use your influential voice to say that sexual abuse and sexual assault should not exist here in our beautiful and wonderful community...”

- Douglas Hartig, NMI Office of the Public Defender, Chief Public Defender

“Let’s suppose he’s 19 and the girl is 16, and they get married. He’s going to prison. That’s what this bill says.”

“This bill is about a teenager and a teenager.”

“1320, rule of evidence... evidence that the accused offended earlier... that can come into trial. The problem with this is there’s no time limit and there’s no standard of quality.”

“1308, acts with students... if someone works at the school... or in the school system... the 19 year-old senior at MHS... and a 19 year-old, same age... teacher’s aide at Hopwood, if they get together, one of them is going to prison. How is that fair at all?”

“The current state of the law in this area is perfectly adequate.”

“These bills need to be revisited at the very least, but definitely in their current state, they should not be passed.”

- Kiki Benjamin, Northern Marianas Coalition Against Domestic and Sexual Violence Associate Director

“I’m here in full support of HB 24-1.”

“I urge you all to pass this bill immediately.”

Oral comments can be made available upon request.

D. Legislative History:

On February 14, 2025, Representative Marissa R. Flores introduced House Bill No. 24-01, and was subsequently referred to the House Standing Committee on Judicial and Governmental Operations for disposition.

E. Cost Benefit:

The enactment of House Bill 24-01 will result in additional cost to the CNMI government due to the need for additional enforcement, training, administrative, prosecution and defense expenses. However, the bill's goal of ensuring the safety of the children of the CNMI against acts of sexual assault and abuse heavily outweigh the costs.

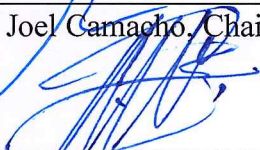
III. CONCLUSION:

The committee is in accord with the intent and purpose of House Bill No. 24-1, HS1 and recommends its passage.

Respectfully submitted,

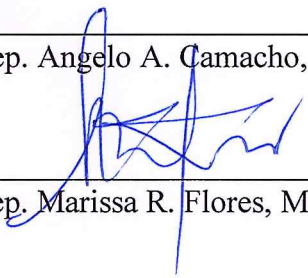


Rep. Joel Camacho, Chairman




Rep. Vincent S. Aldan, Member

Rep. Angelo A. Camacho, Member

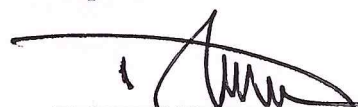


Rep. Marissa R. Flores, Member


Rep. Julie A. Ogo, Member



Rep. Blas Jonathan "BJ" T. Attao, Vice Chair




Rep. Daniel I. Aquino Jr., Member



Rep. Diego V.F. Camacho, Member

Rep. Joseph A. Flores, Member

Rep. John Paul P. Sablan, Member



Rep. Ralph N. Yumul, Member

Reviewed by:



House Legal Counsel

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2025

First Regular Session, 2025

H. B. 24-1 HS1

A BILL FOR AN ACT

To amend provisions in Title 6, Chapter 3, Sexual Offenses, Article 1. General Provisions, relating to sexual abuse/assault of minors.

**BE IT ENACTED BY THE 24TH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** Criminal acts against minors,
2 particularly, sexual abuse and sexual assault are serious crimes, acts of violence,
3 and grave offenses. These offenses are especially egregious when committed
4 against minors who cannot legally give consent in situations involving significant
5 age differences. These acts of violence often involve manipulation, coercion, force,
6 or abuse of power, targeting those perceived as vulnerable, including but not limited
7 to children, individuals with disabilities, and others in vulnerable situations. The
8 Legislature, working collaboratively with the CNMI Sexual Assault Response
9 Team (SART), considered feedback from the community, including youth,
10 survivors, advocacy groups, child protective agencies, and law enforcement, to
11 ensure the amendments herein, address the real needs and concerns of those
12 affected by these crimes.

1 Here in the CNMI, these crimes cause severe short and long-term effects on
2 victims, including children and adolescents. These effects can manifest as post-
3 traumatic stress disorder, suicide, self-harm, eating and sleep disorders,
4 dissociation, depression, and substance abuse. No person, particularly no child,
5 should endure such trauma. Furthermore, it is crucial to prohibit any form of sexual
6 activity between students and individuals employed or contracted by their
7 educational institutions. School employees and contractors hold positions of
8 authority and are responsible for students' protection and care. Therefore, expressly
9 banning any form of sexual interaction between these groups is necessary.

10 Evidence and data obtained from various agencies within the CNMI
11 emphasize the urgent need to strengthen legal protections for victims. The Division
12 of Youth Services - Child Protective Services reported the following allegations of
13 sexual abuse: 41 in FY 2016, 44 in FY 2017, 44 in FY 2018, 63 in FY 2019, 63 in
14 FY 2020, 63 in FY 2021, 88 in FY 2022, and 115 in FY 2023. According to the
15 Department of Public Safety - Criminal Investigation Bureau, in 2023, there were
16 17 reported cases of sexual assault (SA) and 55 cases of sexual abuse of a minor
17 (SAM). As of September 2024, the numbers show 9 SA cases and 24 SAM cases.
18 Data from the Office of the Attorney General - Criminal Division reveal the
19 following for SA cases (which encompass both sexual abuse of minors and sexual
20 assault cases): 12 in 2015, 25 in 2016, 17 in 2017, 15 in 2018, 11 in 2019, 20 in
21 2020, 31 in 2021, 31 in 2022, and 28 in 2023.

1 Sexual abuse and sexual assault victims are extremely vulnerable and sadly,
2 as the above statistics demonstrate, a significant percentage of the victims are
3 minors, further highlighting the vulnerability of this population and the necessity
4 for enhanced legal measures. As a community dedicated to protecting its most
5 vulnerable members and strongly opposing these malicious acts, the Legislature
6 finds that we must renew our commitment to these victims by reinforcing and
7 securing their protection from crimes involving the sexual abuse of minors and
8 sexual assault. This commitment is essential for safeguarding both current and
9 future generations. Combined with our efforts to deter these crimes and ensure
10 offenders are held accountable, the safety and well-being of both children and adult
11 victims depend on the protection and support we provide.

12 To address this, it is crucial to strengthen our laws regarding the sexual
13 abuse of minors and sexual assault by simplifying statutory language, removing
14 barriers to prosecution, and introducing a long-overdue voyeurism statute which is
15 critical, as increased access to technology—such as hidden cameras and online
16 dissemination—has made children and vulnerable individuals more susceptible to
17 exploitation. Current statutes (6 CMC § 1306 and § 1307) prohibit sexual
18 penetration or contact with persons under thirteen (13) years of age; the Legislature
19 proposes raising this age limit to fifteen (15) years to better protect minors. This
20 change aligns with most jurisdictions that have raised their ages of consent to offer
21 increased protection for minors and enhance the overall safety of the community.

1 Moreover, the Legislature finds that it would be appropriate to update certain
2 definitions to cover other circumstances not included in the previous laws. Terms
3 such as ‘consent’ and ‘voyeurism’ are revised and added to bring CNMI law up to
4 date with the realities of current societal challenges.

5 Existing laws also fail to address voyeurism. Unlike many other
6 jurisdictions, the CNMI lacks a statute criminalizing the intentional invasion of
7 another person’s privacy without their consent while observing that person in the
8 privacy of their own home or another private place. Currently, these offenses are
9 often classified under the general charge of Disturbing the Peace, complicating
10 efforts to identify specific instances of voyeurism. This broad classification leads
11 to unjust outcomes for victims, as offenders typically face only petty misdemeanor
12 charges. Moreover, existing penalties do not adequately reflect the emotional and
13 psychological harm inflicted by these violations. A specific voyeurism statute
14 would address the rise in such acts, create stiffer penalties to hold offenders
15 accountable, and recognize the emotional and psychological harm to victims.

16 Revisions to current CNMI law set forth herein in the form of repealed and
17 re-enacted statutes that were substantively revised as well as minor amendments to
18 statutes that were necessary to update certain sections that are contained in this
19 legislation are all in compliance with the constitutional “one-subject” rule. This is
20 because all the legislative changes herein relate to Title 6, Ch. 3, Sexual Offenses,
21 Article 1. General Provisions, specifically, to sexual abuse/assault of minors.

1 **Section 2. Repeal and Re-Enactment.** Title 6, Section 1306 of the
2 Commonwealth Code is hereby repealed and re-enacted to read as follows:

3 **“§1306. Sexual Abuse of a Minor in the First Degree.**

4 (a) An offender commits the crime of sexual abuse of a minor in the first
5 degree if

6 (1) the offender engages in sexual penetration with a person who
7 is under 15 years of age or aids, induces, causes, or encourages a person who
8 is under 15 years of age to engage in sexual penetration with another person;

9 (2)(A) being 18 years of age, the offender engages in sexual penetration
10 with a person who is under 15 years of age; or

11 (B) being 19 years of age, the offender engages in sexual penetration with
12 a person who is under 16 years of age; or

13 (C) being 20 years of age, the offender engages in sexual penetration with
14 a person who is under 17 years of age; or

15 (D) being 21 years of age or older, the offender engages in sexual
16 penetration with a person who is under 18 years of age

17 (b) Sexual abuse of a minor in the first degree is punishable by
18 imprisonment for not less than 2 years and not more than 30 years, a fine of not
19 more than \$50,000, or both.”

1 **Section 3. Repeal and Re-Enactment.** Title 6, Section 1307 of the
2 Commonwealth Code is hereby repealed and re-enacted to read as follows:

3 **“§ 1307. Sexual Abuse of a Minor in the Second Degree.**

4 (a) An offender commits the crime of sexual abuse of a minor in the
5 second degree if

6 (1) the offender engages in sexual contact with a person who is under 15
7 years of age or aids, induces, causes, or encourages a person who is under 15
8 years of age to engage in sexual contact with another person;

9 (2)(A) being 18 years of age, the offender engages in sexual contact with a
10 person who is under 15 years of age; or

11 (B) being 19 years of age, the offender engages in sexual contact with a
12 person who is under 16 years of age; or

13 (C) being 20 years of age, the offender engages in sexual contact with a
14 person who is under 17 years of age; or

15 (D) being 21 years of age or older, the offender engages in sexual contact
16 with a person who is under 18 years of age.

17 (b) Sexual Abuse of a Minor in the second degree is punishable by
18 imprisonment for not less than two years and not more than fifteen years, and a fine
19 of not more than \$10,000, or both. Notwithstanding any other provision of law, a
20 person sentenced under this provision and 6 CMC section 4252 shall not be eligible
21 for parole, if at all, until two-thirds of this minimum sentence has been served.”

1 **Section 4. Repeal and Reenactment.** Title 6, Section 1308 of the
2 Commonwealth Code is hereby repealed and reenacted to read as follows:

3 **“§ 1308. Unlawful Sexual Act(s) with a Student.**

4 (a) It shall be unlawful for any person employed by any educational
5 institution to engage in any sexual act(s), as defined in 6 CMC § 1317(3),
6 with any student of any educational institution where the offender is
7 employed or contracted or the person is a volunteer. For the purpose of this
8 section, “educational institution” shall be defined as an institution with
9 students from any grade levels ranging from 6th grade to 12th grade.

10 (b) Violation of subsection (a) shall be punishable by imprisonment
11 for not less than two years and not more than 5 years, a fine of not more
12 than \$2,000, or both.”

13 **Section 5. Repeal and Re-Enactment.** Title 6, Section 1309 of the
14 Commonwealth Code is hereby repealed in its entirety. For the sake of maintaining
15 the remaining code sections, Section 1309 shall remain codified or re-enacted as
16 “RESERVED” so as not to require the re-numbering of subsequent sections within
17 Division 1, Part, 1, Chapter 3, Article 1. Accordingly, Section 1309 is hereby re-
18 enacted to read as follows:

19 **“Section 1309. RESERVED”.**

1 **Section 6. Amendment.** Title 6, Section 1310 of the Commonwealth
2 Code is hereby amended to read as follows:

3 **“§ 1310. General Provisions.**

4 (a) In a prosecution under 6 CMC §§ 1306-1308, whenever a
5 provision of law defining an offense depends upon a victim being under a
6 certain age, it is an affirmative defense that, at the time of the alleged
7 offense, the defendant reasonably believed the victim to be that age or older,
8 unless the victim was under 16 years of age at the time of the alleged
9 offense.”

10 **Section 7. Repeal and Reenactment.** Title 6, Section 1314 of the
11 Commonwealth Code is hereby repealed and reenacted to read as follows:

12 **“§ 1314. Unlawful Exploitation/Voyeurism.**

13 (a) It is unlawful to knowingly invade the privacy of another person
14 without the knowledge of the other person for the purpose of sexual
15 stimulation.

16 (1) For the purposes of this section, a person's privacy is invaded if
17 both of the following apply:

18 (I) The person has a reasonable expectation that the person will not
19 be viewed, photographed, videotaped, filmed or digitally recorded.

20 (II) The person is photographed, videotaped, filmed, digitally
21 recorded or otherwise viewed, with or without a device, either:

1 (A) While the person is in a state of undress or partial dress or;

2 (B) While the person is engaged in sexual intercourse or sexual
3 contact or;

4 (C) While the person is urinating or defecating or;

5 (D) In a manner that directly or indirectly captures or allows the
6 viewing of the person's genitalia, buttock or female breast, whether clothed
7 or unclothed, that is not otherwise visible to the public.

8 (b) It is unlawful for a person to capture, disclose, display, distribute,
9 attempt to distribute, threaten to distribute or publish a photograph,
10 videotape, film or digital recording that is made for sexual stimulation for
11 self or others and: (1) after invasion of privacy; or (2) without the consent
12 or knowledge of the person depicted.

13 (c) This section does not apply to any of the following:

14 (1) Photographing, videotaping, filming or digitally recording for
15 security purposes if notice of the use of the photographing, videotaping,
16 filming or digital recording equipment is clearly posted in the location and
17 the location is one in which the person does not have a reasonable
18 expectation of privacy.

19 (2) Photographing, videotaping, filming or digitally recording by
20 correctional officials for security reasons or in connection with the
21 investigation of alleged misconduct of persons on the premises of a jail or

1 prison.

2 (3) Photographing, videotaping, filming or digitally recording by
3 law enforcement officers pursuant to an investigation, which is otherwise
4 lawful.

5 (4) The use of a child monitoring device. For the purpose of this
6 section, "child monitoring device" shall mean a device that is capable of
7 transmitting and audio or audiovisual signal that is installed or used in a
8 residence for child supervision or safety monitoring by any parent,
9 guardian, or other responsible person in the person's own residence.

10 (d)(1) Violation of subsection (a) shall be punishable by
11 imprisonment for not more than five years, a fine of not more than \$2,000,
12 or both;

13 (2) Violation of subsection (b) shall be punishable by imprisonment
14 for not more than twenty years, a fine of not more than \$10,000, or both;
15 Each displayed and/or distributed photograph, videotape, film or digital
16 recording that is made without the consent or knowledge of the person
17 depicted shall be counted as a separate violation. Notwithstanding any
18 other provision of law, a person sentenced under this provision shall not be
19 eligible for parole, if at all, until two-thirds of this minimum sentence has
20 been served."

1 **Section 8. Amendment.** Title 6, Section 1317 of the Commonwealth Code
2 is hereby amended to read as follows:

3 **“§ 1317. Definitions.**

4 For purposes of this chapter, unless the context requires otherwise,

5 (1) “Incapacitated” means a state where an individual cannot make
6 rational, reasonable decisions because of mental or physical helplessness,
7 sleep, unconsciousness, or lack of awareness that sexual activity is taking
8 place;

9 (2) “Mentally incapable” means suffering from a mental disease,
10 defect or disorder that renders the person incapable of understanding the
11 nature or consequences of the person’s conduct, including the potential for
12 harm to that person;

13 ~~(3) “Position of authority” means an employer, youth leader, scout~~
14 ~~leader, coach, teacher, counselor, school administrator, religious leader,~~
15 ~~doctor, nurse, psychologist, guardian ad litem, babysitter, or a substantially~~
16 ~~similar position, a police officer or probation officer other than when the~~
17 ~~officer is exercising custodial control over a minor, and other family~~
18 ~~members not living in the same household and others who the victim would~~
19 ~~reasonably believe had coercive power over him or her;~~

20 (4) ~~(3)~~ “Sexual act” means sexual penetration or sexual contact;

21 ~~(5)~~ ~~(4)~~ “Sexual Contact” is the intentional touching of the victim’s

1 body or intimate parts which include but are not limited to the primary
2 genital area, groin, inner thigh, mouth, anus, buttock, or breast of a human
3 being or the intentional touching of the clothing covering the immediate
4 area of the victim's or actor's body or intimate parts, if that intentional
5 touching can reasonably be construed as being for the purpose of sexual
6 arousal or stimulation. Sexual contact also means a perpetrator forces a
7 victim to touch his/her body and/or intimate parts.

8 (6) (5) "Sexual penetration" means

9 (A) (i) genital intercourse, fellatio, anal intercourse, or an intrusion,
10 however slight, of an object or any part of a person's body into the genital
11 or anal opening of another person's body; and

12 (ii) cunnilingus or anilingus, whether or not actual penetration has
13 occurred.

14 (B) but "sexual penetration" does not include acts performed for the
15 purpose of administering a recognized and lawful form of treatment that is
16 reasonably adapted to promoting the physical or mental health of the person
17 being treated;

18 (7) (6) "Victim" means the person alleged to have been subjected to
19 sexual assault, sexual abuse of a minor, child abuse, neglect, or voyeurism
20 in any degree;

21 (8)(7) "Voyeurism" or "Voyeuring" shall mean:

1 (A) the act of a person gaining sexual pleasure from watching others
2 when they are naked, in a state of undress or partial dress, or engaged in
3 sexual activity and/or secretly records such activity; and/or

4 (B) the act of a person who gains sexual pleasure from secretly
5 watching other people in sexual situations, or (more generally) a person who
6 watches other people's private lives.

7 (9) (8) "Consent" means:

8 (A) A person's behavior, including words and conduct, that
9 communicates the person's willingness to engage in a specific act of sexual
10 penetration or sexual contact.

11 (B) Neither verbal nor physical resistance is required to establish the
12 absence of consent; the person's behavior must be assessed in the context
13 of all the circumstances to determine whether the person has consented.

14 (C) Consent may be revoked any time before or during the act of
15 sexual penetration or sexual contact, by behavior communicating that the
16 person is no longer willing."

17 **Section 9. Amendment.** Title 6, Section 1320 is hereby amended to read as
18 follows:

19 **"§ 1320. Admission of Other Act Evidence.**

20 (a) In a prosecution for a crime specified in this article, evidence of
21 other acts by the offender toward the same or another person is admissible

1 if the conduct, factual basis, or the initial charge, is of the same nature as
2 the crimes specified in this article.

3 (b) For purposes of this section, other conduct, factual basis, or
4 initial charge, referred to in subsection (a) need not have resulted in any
5 criminal charge or conviction specified in this article in order to be
6 admissible.

7 (c) In a prosecution for a crime involving domestic violence or of
8 interfering with a report of a crime involving domestic violence, evidence
9 of other crimes involving domestic violence by the offender against the
10 same or another person is admissible.”

11 **Section 10. Amendment.** Title 6, Section 4102 subsections (d) (i) and (ii)
12 are hereby amended to read as follows:

13 (d) RESERVED.

14 ~~Notwithstanding any provisions in this section, any person convicted of~~
15 ~~sexual assault in the first degree or sexual abuse of a minor in the first degree as~~
16 ~~adopted, shall be sentenced to serve a mandatory term of imprisonment of no less~~
17 ~~than~~

18 ~~(i) eight years if the person convicted has no record of prior felony~~
19 ~~conviction, which sentence may not be suspended unless the court~~
20 ~~determines that unique circumstances exist in the light of which~~
21 ~~imprisonment of the convicted person is inhumane, cruel or~~

1 ~~otherwise extremely detrimental to the interest of justice, and is not~~
2 ~~necessary for the protection of the public or any witness; and~~
3 ~~(ii) — fifteen years if the person convicted has a prior felony conviction.”~~

4 **Section 11. Severability.** If any provisions of this Act or the application of
5 any such provision to any person or circumstance should be held invalid by a court
6 of competent jurisdiction, the remainder of this Act or the application of its
7 provisions to persons or circumstances other than those to which it is held invalid
8 shall not be affected thereby.

9 **Section 12. Savings Clause.** This Act and any repealer contained herein
10 shall not be construed as affecting any existing right acquired under contract or
11 acquired under statutes repealed or under any rule, regulation, or order adopted
12 under the statutes. Repealers contained in this Act shall not affect any proceeding
13 instituted under or pursuant to prior law. The enactment of the Act shall not have
14 the effect of terminating, or in any way modifying, any liability, civil or criminal,
15 which shall already be in existence on the date this Act becomes effective.

16 **Section 13. Effective Date.** This Act shall take effect upon its approval by
17 the Governor, or it becoming law without such approval.

Prefiled: 1/30/2025

Date: _____ Introduced by: /s/ Rep. Marissa R. Flores

HB 24-1 and HB 24-1 HS1: Reviewed for legal sufficiency by:

/s/ Joseph L.G. Tajeron, Jr.
House Legal Counsel