

67 ~~not amounting to any offense listed in Subsection (3), the minor actor engages in any of the~~
68 ~~following conduct with another person who is fewer than three years older or fewer than three~~
69 ~~years younger than the minor, but not older than 17 years of age:~~
70 ~~— (a) sexual intercourse;~~
71 ~~— (b) any sexual act involving the genitals of one person and the mouth or anus of~~
72 ~~another person, regardless of the sex of either participant; or~~
73 ~~— (c) causes the penetration, however slight, of the genital or anal opening of the person~~
74 ~~by any foreign object, substance, instrument, or device, including a part of the human body,~~
75 ~~with the intent to cause substantial emotional or bodily pain to any person or with the intent to~~
76 ~~arouse or gratify the sexual desire of any person, regardless of the sex of any participant.~~
77 ~~— (3) The offenses referred to in Subsection (2) are:~~
78 ~~— (a) rape, in violation of Section 76-5-402;~~
79 ~~— (b) rape of a child, in violation of Section 76-5-402.1;~~
80 ~~— (c) object rape, in violation of Section 76-5-402.2;~~
81 ~~— (d) object rape of a child, in violation of Section 76-5-402.3;~~
82 ~~— (e) forcible sodomy, in violation of Section 76-5-403;~~
83 ~~— (f) sodomy on a child, in violation of Section 76-5-403.1;~~
84 ~~— (g) forcible sexual abuse, in violation of Section 76-5-404;~~
85 ~~— (h) sexual abuse of a child, in violation of Section 76-5-404.1; or~~
86 ~~— (i) any other offense that involves sexual conduct and which would be consensual but~~
87 ~~for the age of one or more of the parties.~~
88 ~~— (4) A violation of Subsection (2), unlawful sexual activity between minors, is a class B~~
89 ~~misdemeanor.}~~

Respectfully,

Gregory S. Bell
Committee Chair

Voting: 4-0-3

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