AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT
SENTENCING COMMISSION WITH RESPECT TO SEXUAL ASSAULT IN THE
FOURTH DEGREE.

Section 1. Section 53a-73a of the general statutes is repealed and the following
is substituted in lieu thereof (Effective October 1, 2023):

(a) A person is guilty of sexual assault in the fourth degree when: (1) Such
person subjects another person to sexual contact who is (A) under thirteen years of age
and the actor is more than two years older than such other person, or (B) thirteen years
of age or older but under fifteen years of age and the actor is more than three years
older than such other person, or (C) physically helpless, or (D) less than eighteen years
old and the actor is such other person's guardian or otherwise responsible for the
general supervision of such other person's welfare, or (E) in custody of law or detained
in a hospital or other institution and the actor has supervisory or disciplinary authority
over such other person; or (2) such person subjects another person to sexual contact
without such other person's consent; or (3) such person engages in sexual contact with
an animal; or (4) such person engages in sexual contact with a dead human body; or
[(4)] [(5)] such person is a psychotherapist and subjects another person to sexual contact
who is (A) a patient of the actor and the sexual contact occurs during the
psychotherapy session, or (B) a patient or former patient of the actor and such patient
or former patient is emotionally dependent upon the actor, or (C) a patient or former
patient of the actor and the sexual contact occurs by means of therapeutic deception;
or [(5)] [(6)] such person subjects another person to sexual contact and accomplishes the
sexual contact by means of false representation that the sexual contact is for a bona
fide medical purpose by a health care professional; or [(6)] [(7)] such person is a school
employee and subjects another person to sexual contact who is a student enrolled in a
school in which the actor works or a school under the jurisdiction of the local or
regional board of education which employs the actor; or [(7)] [(8)] such person is a coach
in an athletic activity or a person who provides intensive, ongoing instruction and
subjects another person to sexual contact who is a recipient of coaching or instruction
from the actor and (A) is a secondary school student and receives such coaching or
instruction in a secondary school setting, or (B) is under eighteen years of age; or [(8)]
[(9)] such person subjects another person to sexual contact and (A) the actor is twenty
years of age or older and stands in a position of power, authority or supervision over
such other person by virtue of the actor's professional, legal, occupational or volunteer
status and such other person's participation in a program or activity, and (B) such other
person is under eighteen years of age; or [(9)] (10) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

(b) Sexual assault in the fourth degree is a class A misdemeanor or, if the victim of the offense is a person under sixteen years of age, a class D felony.

Sec. 2. Subdivision (3) of section 53a-65 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2023):

(3) "Sexual contact" means (A) any contact with the intimate parts of a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person or any contact of the intimate parts of the actor with a person for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person; or (B) for the purposes of subdivision (3) of subsection (a) of section 53a-73a, as amended by this act, any contact with the intimate parts of an animal or any contact of the intimate parts of the actor with an animal, for the purpose of sexual gratification of the actor; or (C) for the purposes of subdivision (4) of subsection (a) of section 53a-73a, as amended by this act, any contact with the intimate parts of a dead human body, or any contact of the intimate parts of the actor with a dead human body, for the purpose of sexual gratification of the actor.

Statement of Purpose:

To clarify the requirements of sexual assault in the fourth degree with an animal or a dead body.