

**SB0033/623121/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 33  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Repeal of**” and substitute “**Fourth-Degree Sexual Offense and**”; in line 3, after “of” insert “altering the definition of “sexual contact”;”; and after line 5, insert:

“BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 3–301(e)

Annotated Code of Maryland

(2021 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Law

Section 3–308(b)(1)

Annotated Code of Maryland

(2021 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“3–301.

(e) (1) “Sexual contact”, as used in §§ 3–307, 3–308, and 3–314 of this subtitle, means an intentional touching of the victim’s or actor’s genital, anal, or other intimate area for sexual arousal or gratification, or for the abuse of either party.

(Over)

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(2) “Sexual contact” does not include:

(i) a common expression of familial or friendly affection; [or]

(ii) an act for an accepted medical purpose; OR

**(III) FOR THE PURPOSES OF § 3-308(B)(1) OF THIS SUBTITLE ONLY, IN THE CASE OF TWO INDIVIDUALS ENGAGED IN AN ONGOING CONSENSUAL SEXUAL RELATIONSHIP, PHYSICAL CONTACT COMMONLY ENGAGED IN BY TWO INDIVIDUALS IN A SEXUAL RELATIONSHIP, UNLESS ONE OF THE INDIVIDUALS HAS REASONABLY INDICATED TO THE OTHER THAT FURTHER PHYSICAL CONTACT IS UNWANTED.**

3-308.

(b) A person may not engage in:

(1) sexual contact with another without the consent of the other:”.