

Committee: House Judiciary Committee

Bill Number: Senate Bill 33 -- Criminal Law – Sexual Crimes – Fourth- Degree Sexual Offense and Spousal Defense.

Hearing Date: April 6, 2022

Position: Support with Amendments

Planned Parenthood of Maryland (PPM) supports *Senate Bill 33 – Criminal Law – Sexual Crimes – Fourth- Degree Sexual Offense and Spousal Defense*. This will repeal an exemption from prosecution (spousal exemption) for fourth-degree sexual defense, if at the time of the alleged offense, the person was the victim’s legal spouse.

PPM supports consensual healthy relationships. Currently, Maryland law allows marriage to be a defense to some sex crimes. While PPM supports the repeal of the spousal exemption, we ask the Committee to reject the Senate’s amendments to SB 33. The amendments shifts the focus away repealing the spousal exemption and defines “sexual contact” to NOT include two individuals engaged in ongoing consensual sexual relationships. Just because two individuals are in a relationship, does not mean that one gives up a right to control their own body.

We ask for a favorable report with amendments on the bill and for the committee to reject the Senate amendments. If we can be of further assistance, please contact Suhani Chitalia at schitalia@policypartners.net.