

SEXUAL INTERCOURSE

CHAPTER 276.

[H. B. No. 279—DeNault]

RESTRICTONS ON PERSONAL CONDUCT.

AN ACT to Make it a Felony, and Providing a Penalty for a Guardian, County Commissioner, or Official or Employee in a Penal, Correctional or Eleemosynary Institution, to Induce a Female Ward, or Pauper Under His Care or an Inmate of Such Institution to have Illicit Sexual Intercourse With Him by Threatening to Withhold the Necessities of Life, or Threatening Physical Violence.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. SEXUAL INTERCOURSE WITH FEMALE DEPENDENT OR WARD, A FELONY.] Every male person, who, when a guardian of a minor, or when a county commissioner, or when a warden, superintendent, supervising official, guard, attendant, watchman, or other employee in any penal, correctional or eleemosynary institution in this state; induces a female, who is a ward, or pauper under his care, or who is an inmate in the institution, in which he is employed, or who is in a position where she receives the necessities of life through or from him, or upon his recommendation, to have illicit sexual intercourse with him by threatening to withhold from her, or a member of her family, the necessities of life, or by threatening her, or a member of her family, with physical violence, is guilty of a felony.

§ 2. PENALTY.] Any person convicted of a felony under section 1 of this act shall be punished by imprisonment in the state penitentiary for a term of not less than one year, and not more than fifteen years.

§ 3. EMERGENCY.] Whereas there is no law in this state under which a person guilty of the crime specified in section 1 of this act can be convicted and punished, where the woman is of legal age, and of sane mind, this act shall be in full force and effect on and after its passage and approval.

Approved March 6, 1911.