

## HR 4123

Military Sexual Assault Crimes Revision Act of 2004

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Armed Forces and National Security

**Introduced:** Apr 1, 2004

**Current Status:** Referred to the Subcommittee on Total Force.

**Latest Action:** Referred to the Subcommittee on Total Force. (Jun 2, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/4123>

### Sponsor

**Name:** Rep. Sanchez, Loretta [D-CA-47]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. McGovern, James P. [D-MA-3]	D · MA		Jun 8, 2004

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Jun 2, 2004

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
108 HR 4709	Related bill	<b>Jun 24, 2004:</b> Referred to the House Committee on Armed Services.

Military Sexual Assault Crimes Revision Act of 2004 - Amends the Uniform Code of Military Justice to rewrite current provisions concerning the military crime of rape and carnal knowledge to conform with Federal sexual assault crimes. Makes it a crime (aggravated sexual abuse) not only to use force to engage in a sexual act, but to obtain a sexual act by threatening or placing a person in fear that any person will otherwise be subjected to death, serious bodily injury, or kidnapping. Includes within the act of aggravated sexual abuse: (1) rendering another person unconscious, or administering a drug or intoxicant, prior to engaging in a sexual act; and (2) engaging in a sexual act with a person under 12 years of age.

Defines as the military crime of sexual abuse when a person: (1) causes another person to engage in a sexual act by threatening or placing that other person in fear; (2) engages in a sexual act with another person who is incapable of either appraising the nature of the conduct or declining such participation; or (3) engages in a sexual act with a person over 12 but under 16, or at least four years younger than the person.

States that, in the prosecution of either type of sexual abuse, it need not be proven that a person knew the age of the other person engaging in the sexual act, or the requisite age difference. Requires the accused to prove as an affirmative defense that the accused believed the other person to be at least 16 years of age.

Makes the above crimes punishable by court-martial.

### **Actions Timeline**

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- **Jun 2, 2004:** Executive Comment Requested from DOD.
- **Jun 2, 2004:** Referred to the Subcommittee on Total Force.
- **Apr 1, 2004:** Introduced in House
- **Apr 1, 2004:** Referred to the House Committee on Armed Services.

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