

David M. Apatang
Governor



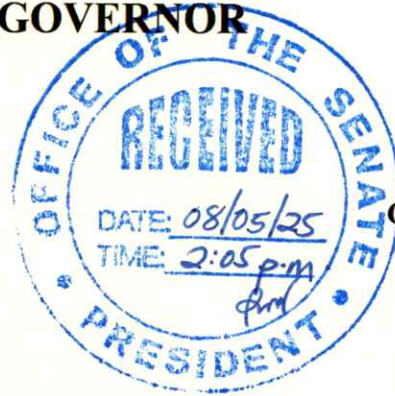
Gov. Msg. No. 24-70

Dennis James "DJ" C. Mendiola
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

OFFICE OF THE GOVERNOR

August 5, 2025



GOV2025-036

The Honorable Edmund S. Villagomez
Speaker
House of Representatives
Twenty-Fourth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950


The Honorable Karl R. King-Nabors
President
The Senate; Twenty-Fourth Northern
Marianas Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law **House Bill No. 24-1, HS1** entitled, "To amend provisions in Title 6, Division 1, Part 1, Chapter 3, Sexual Offenses, Article 1. General Provisions, relating to sexual abuse/assault of minors.", which was passed by the House of Representatives and the Senate of the Twenty-Fourth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 24-08**. Copies bearing my signature are forwarded for your reference.

Sincerely,


DAVID M. APATANG
Governor

cc: Lieutenant Governor; Attorney General; Commonwealth Law Revision;
Public Auditor; Acting Special Assistant for Administration;
Programs and Legislative Review Office

OFFICE OF THE
SENATE CLERK

Juan A. Sablan Memorial Building • 12296 Pagan Loop. • Capitol Hill, Saipan
Caller Box 10007 • Saipan, MP 96950 • (670) 237-2200 • governor.cnmi.gov

Signed By: 
Date: 8/5 Time: 2:11 pm



**TWENTY-FOURTH NORTHERN MARIANA COMMONWEALTH LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES**

FIRST REGULAR SESSION

FEBRUARY 14, 2025

REPRESENTATIVE MARISSA R. FLORES OF SAIPAN, PRECINCT 3 (FOR HERSELF) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 24-1, HS1

AN ACT

TO AMEND PROVISIONS IN TITLE 6, DIVISION 1, PART 1, CHAPTER 3, SEXUAL OFFENSES, ARTICLE 1. GENERAL PROVISIONS, RELATING TO SEXUAL ABUSE/ASSAULT OF MINORS.

IN THE HOUSE OF REPRESENTATIVES

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 24-4; adopted 5/15/2025.

THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON

FIRST AND FINAL READING, MAY 15, 2025;

with amendments in the form of H. B. No. 24-1, HS1 and transmitted to **THE SENATE.**

IN THE SENATE

The Bill was referred to the Senate Committee on Judiciary, Government, and Law, which submitted Standing Committee Report 24-18; adopted 7/14/2025.

THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, JULY 14, 2025;

without amendments and returned to **THE HOUSE OF REPRESENTATIVES.**

H. B. NO. 24-1, HS1 IS DULY PASSED BY THE TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE.



Linda B. Muña, House Clerk



TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES

FIRST DAY, SECOND SPECIAL SESSION

MAY 15, 2025

H. B. No. 24-1, HS1

AN ACT

**TO AMEND PROVISIONS IN TITLE 6, DIVISION 1, PART 1,
CHAPTER 3, SEXUAL OFFENSES, ARTICLE 1. GENERAL
PROVISIONS, RELATING TO SEXUAL ABUSE/ASSAULT OF
MINORS.**

**BE IT ENACTED BY THE TWENTY-FOURTH NORTHERN
MARIANAS COMMONWEALTH LEGISLATURE:**

SECTION 1. FINDINGS AND PURPOSE.

Criminal acts against minors, particularly, sexual abuse and sexual assault are serious crimes, acts of violence, and grave offenses. These offenses are especially egregious when committed against minors who cannot legally give consent in situations involving significant age differences. These acts of violence often involve manipulation, coercion, force, or abuse of power, targeting those perceived as vulnerable, including but not limited to children, individuals with disabilities, and others in vulnerable situations. The Legislature, working collaboratively with the CNMI Sexual Assault Response Team (SART), considered feedback from the community, including youth, survivors, advocacy groups, child protective agencies, and law enforcement, to ensure the

HOUSE BILL 24-1, HS1

1 amendments herein, address the real needs and concerns of those affected by
2 these crimes.

3 Here in the CNMI, these crimes cause severe short and long-term effects on
4 victims, including children and adolescents. These effects can manifest as post-
5 traumatic stress disorder, suicide, self-harm, eating and sleep disorders,
6 dissociation, depression, and substance abuse. No person, particularly no child,
7 should endure such trauma. Furthermore, it is crucial to prohibit any form of
8 sexual activity between students and individuals employed or contracted by their
9 educational institutions. School employees and contractors hold positions of
10 authority and are responsible for students' protection and care. Therefore,
11 expressly banning any form of sexual interaction between these groups is
12 necessary.

13 Evidence and data obtained from various agencies within the CNMI
14 emphasize the urgent need to strengthen legal protections for victims. The
15 Division of Youth Services - Child Protective Services reported the following
16 allegations of sexual abuse: 41 in FY 2016, 44 in FY 2017, 44 in FY 2018, 63 in
17 FY 2019, 63 in FY 2020, 63 in FY 2021, 88 in FY 2022, and 115 in FY 2023.
18 According to the Department of Public Safety - Criminal Investigation Bureau, in
19 2023, there were 17 reported cases of sexual assault (SA) and 55 cases of sexual
20 abuse of a minor (SAM). As of September 2024, the numbers show 9 SA cases and
21 24 SAM cases. Data from the Office of the Attorney General - Criminal Division
22 reveal the following for SA cases (which encompass both sexual abuse of minors
23 and sexual assault cases): 12 in 2015, 25 in 2016, 17 in 2017, 15 in 2018, 11 in
24 2019, 20 in 2020, 31 in 2021, 31 in 2022, and 28 in 2023.

25 Sexual abuse and sexual assault victims are extremely vulnerable and
26 sadly, as the above statistics demonstrate, a significant percentage of the victims
27 are minors, further highlighting the vulnerability of this population and the
28 necessity for enhanced legal measures. As a community dedicated to protecting

HOUSE BILL 24-1, HS1

1 its most vulnerable members and strongly opposing these malicious acts, the
2 Legislature finds that we must renew our commitment to these victims by
3 reinforcing and securing their protection from crimes involving the sexual abuse
4 of minors and sexual assault. This commitment is essential for safeguarding both
5 current and future generations. Combined with our efforts to deter these crimes
6 and ensure offenders are held accountable, the safety and well-being of both
7 children and adult victims depend on the protection and support we provide.

8 To address this, it is crucial to strengthen our laws regarding the sexual
9 abuse of minors and sexual assault by simplifying statutory language, removing
10 barriers to prosecution, and introducing a long-overdue voyeurism statute which
11 is critical, as increased access to technology—such as hidden cameras and online
12 dissemination—has made children and vulnerable individuals more susceptible
13 to exploitation. Current statutes (6 CMC § 1306 and § 1307) prohibit sexual
14 penetration or contact with persons under thirteen (13) years of age; the
15 Legislature proposes raising this age limit to fifteen (15) years to better protect
16 minors. This change aligns with most jurisdictions that have raised their ages of
17 consent to offer increased protection for minors and enhance the overall safety of
18 the community. Moreover, the Legislature finds that it would be appropriate to
19 update certain definitions to cover other circumstances not included in the
20 previous laws. Terms such as ‘consent’ and ‘voyeurism’ are revised and added to
21 bring CNMI law up to date with the realities of current societal challenges.

22 Existing laws also fail to address voyeurism. Unlike many other
23 jurisdictions, the CNMI lacks a statute criminalizing the intentional invasion of
24 another person’s privacy without their consent while observing that person in the
25 privacy of their own home or another private place. Currently, these offenses are
26 often classified under the general charge of Disturbing the Peace, complicating
27 efforts to identify specific instances of voyeurism. This broad classification leads
28 to unjust outcomes for victims, as offenders typically face only petty misdemeanor

HOUSE BILL 24-1, HS1

1 charges. Moreover, existing penalties do not adequately reflect the emotional and
2 psychological harm inflicted by these violations. A specific voyeurism statute
3 would address the rise in such acts, create stiffer penalties to hold offenders
4 accountable, and recognize the emotional and psychological harm to victims.

5 Revisions to current CNMI law set forth herein in the form of repealed and
6 re-enacted statutes that were substantively revised as well as minor amendments
7 to statutes that were necessary to update certain sections that are contained in
8 this legislation are all in compliance with the constitutional “one-subject” rule.
9 This is because all the legislative changes herein relate to Title 6, Ch. 3, Sexual
10 Offenses, Article 1. General Provisions, specifically, to sexual abuse/assault of
11 minors.

12 **SECTION 2. REPEAL AND RE-ENACTMENT.**

13 Title 6, Section 1306 of the Commonwealth Code is hereby repealed and
14 re-enacted to read as follows:

15 **“§1306. Sexual Abuse of a Minor in the First Degree.**

16 (a) An offender commits the crime of sexual abuse of a minor in the first
17 degree if

18 (1) the offender engages in sexual penetration with a person who is
19 under 15 years of age or aids, induces, causes, or encourages a person who
20 is under 15 years of age to engage in sexual penetration with another person;

21 (2)(A) being 18 years of age, the offender engages in sexual penetration
22 with a person who is under 15 years of age; or

23 (B) being 19 years of age, the offender engages in sexual penetration
24 with a person who is under 16 years of age; or

25 (C) being 20 years of age, the offender engages in sexual penetration
26 with a person who is under 17 years of age; or

27 (D) being 21 years of age or older, the offender engages in sexual
28 penetration with a person who is under 18 years of age

HOUSE BILL 24-1, HS1

1 (b) Sexual abuse of a minor in the first degree is punishable by
2 imprisonment for not less than 2 years and not more than 30 years, a fine of
3 not more than \$50,000, or both.”

4 **SECTION 3. REPEAL AND RE-ENACTMENT.**

5 Title 6, Section 1307 of the Commonwealth Code is hereby repealed and re-
6 enacted to read as follows:

7 **“§ 1307. Sexual Abuse of a Minor in the Second Degree.**

8 (a) An offender commits the crime of sexual abuse of a minor in the
9 second degree if

10 (1) the offender engages in sexual contact with a person who is
11 under 15 years of age or aids, induces, causes, or encourages a person who
12 is under 15 years of age to engage in sexual contact with another person;

13 (2)(A) being 18 years of age, the offender engages in sexual contact with
14 a person who is under 15 years of age; or

15 (B) being 19 years of age, the offender engages in sexual contact with a
16 person who is under 16 years of age; or

17 (C) being 20 years of age, the offender engages in sexual contact with a
18 person who is under 17 years of age; or

19 (D) being 21 years of age or older, the offender engages in sexual
20 contact with a person who is under 18 years of age.

21 (b) Sexual Abuse of a Minor in the second degree is punishable by
22 imprisonment for not less than two years and not more than fifteen years,
23 and a fine of not more than \$10,000, or both. Notwithstanding any other
24 provision of law, a person sentenced under this provision and 6 CMC section
25 4252 shall not be eligible for parole, if at all, until two-thirds of this
26 minimum sentence has been served.”

HOUSE BILL 24-1, HS1

SECTION 4. REPEAL AND REENACTMENT.

Title 6, Section 1308 of the Commonwealth Code is hereby repealed and reenacted to read as follows:

“§ 1308. Unlawful Sexual Act(s) with a Student.

(a) It shall be unlawful for any person employed by any educational institution to engage in any sexual act(s), as defined in 6 CMC § 1317(3), with any student of any educational institution where the offender is employed or contracted or the person is a volunteer. For the purpose of this section, “educational institution” shall be defined as an institution with students from any grade levels ranging from 6th grade to 12th grade.

(b) Violation of subsection (a) shall be punishable by imprisonment for not less than two years and not more than 5 years, a fine of not more than \$2,000, or both.”

SECTION 5. REPEAL AND RE-ENACTMENT.

Title 6, Section 1309 of the Commonwealth Code is hereby repealed in its entirety. For the sake of maintaining the remaining code sections, Section 1309 shall remain codified or re-enacted as “RESERVED” so as not to require the re-numbering of subsequent sections within Division 1, Part, 1, Chapter 3, Article 1. Accordingly, Section 1309 is hereby re-enacted to read as follows:

“Section 1309. RESERVED”.**SECTION 6. AMENDMENT.**

Title 6, Section 1310 of the Commonwealth Code is hereby amended to read as follows:

“§ 1310. General Provisions.

(a) In a prosecution under 6 CMC §§ 1306-1308, whenever a provision of law defining an offense depends upon a victim being under a certain age, it is an affirmative defense that, at the time of the alleged offense, the defendant reasonably believed the victim to be that age or older, unless the

HOUSE BILL 24-1, HS1

1 victim was under 16 years of age at the time of the alleged offense.”

2 **SECTION 7. REPEAL AND REENACTMENT.**

3 Title 6, Section 1314 of the Commonwealth Code is hereby repealed and
4 reenacted to read as follows:

5 **“§ 1314. Unlawful Exploitation/Voyeurism.**

6 (a) It is unlawful to knowingly invade the privacy of another person
7 without the knowledge of the other person for the purpose of sexual
8 stimulation.

9 (1) For the purposes of this section, a person's privacy is invaded if both
10 of the following apply:

11 (I) The person has a reasonable expectation that the person will not be
12 viewed, photographed, videotaped, filmed or digitally recorded.

13 (II) The person is photographed, videotaped, filmed, digitally recorded
14 or otherwise viewed, with or without a device, either:

15 (A) While the person is in a state of undress or partial dress or;

16 (B) While the person is engaged in sexual intercourse or
17 sexual contact or;

18 (C) While the person is urinating or defecating or;

19 (D) In a manner that directly or indirectly captures or allows the
20 viewing of the person's genitalia, buttock or female breast, whether clothed
21 or unclothed, that is not otherwise visible to the public.

22 (b) It is unlawful for a person to capture, disclose, display, distribute,
23 attempt to distribute, threaten to distribute or publish a photograph,
24 videotape, film or digital recording that is made for sexual stimulation for
25 self or others and: (1) after invasion of privacy; or (2) without the consent or
26 knowledge of the person depicted.

HOUSE BILL 24-1, HS1

1 (c) This section does not apply to any of the following:

2 (1) Photographing, videotaping, filming or digitally recording for
3 security purposes if notice of the use of the photographing, videotaping,
4 filming or digital recording equipment is clearly posted in the location and
5 the location is one in which the person does not have a reasonable
6 expectation of privacy.

7 (2) Photographing, videotaping, filming or digitally recording by
8 correctional officials for security reasons or in connection with the
9 investigation of alleged misconduct of persons on the premises of a
10 jail or prison.

11 (3) Photographing, videotaping, filming or digitally recording by law
12 enforcement officers pursuant to an investigation, which is otherwise lawful.

13 (4) The use of a child monitoring device. For the purpose of this section,
14 “child monitoring device” shall mean a device that is capable of transmitting
15 and audio or audiovisual signal that is installed or used in a residence for
16 child supervision or safety monitoring by any parent, guardian, or other
17 responsible person in the person’s own residence.

18 (d)(1) Violation of subsection (a) shall be punishable by imprisonment
19 for not more than five years, a fine of not more than \$2,000, or both;

20 (2) Violation of subsection (b) shall be punishable by imprisonment for
21 not more than twenty years, a fine of not more than \$10,000, or both;
22 Each displayed and/or distributed photograph, videotape, film or digital
23 recording that is made without the consent or knowledge of the person
24 depicted shall be counted as a separate violation. Notwithstanding any
25 other provision of law, a person sentenced under this provision shall not be
26 eligible for parole, if at all, until two-thirds of this minimum sentence has
27 been served.”

HOUSE BILL 24-1, HS1

1 **SECTION 8. AMENDMENT.**

2 Title 6, Section 1317 of the Commonwealth Code is hereby amended to read
3 as follows:

4 **“§ 1317. Definitions.**

5 For purposes of this chapter, unless the context requires otherwise,

6 (1) “Incapacitated” means a state where an individual cannot make
7 rational, reasonable decisions because of mental or physical helplessness,
8 sleep, unconsciousness, or lack of awareness that sexual activity is taking
9 place;

10 (2) “Mentally incapable” means suffering from a mental disease, defect
11 or disorder that renders the person incapable of understanding the nature
12 or consequences of the person’s conduct, including the potential for harm to
13 that person;

14 (3) “Sexual act” means sexual penetration or sexual contact;

15 (4) “Sexual Contact” is the intentional touching of the victim’s body or
16 intimate parts which include but are not limited to the primary genital area,
17 groin, inner thigh, mouth, anus, buttock, or breast of a human being or the
18 intentional touching of the clothing covering the immediate area of the
19 victim’s or actor’s body or intimate parts, if that intentional touching can
20 reasonably be construed as being for the purpose of sexual arousal or
21 stimulation. Sexual contact also means a perpetrator forces a victim to touch
22 his/her body and/or intimate parts.

23 (5) “Sexual penetration” means

24 (A) (i) genital intercourse, fellatio, anal intercourse, or an intrusion,
25 however slight, of an object or any part of a person’s body into the genital or
26 anal opening of another person’s body; and

27 (ii) cunnilingus or anilingus, whether or not actual penetration has
28 occurred.

HOUSE BILL 24-1, HS1

1 (B) but “sexual penetration” does not include acts performed for the
2 purpose of administering a recognized and lawful form of treatment that is
3 reasonably adapted to promoting the physical or mental health of the person
4 being treated;

5 (6) “Victim” means the person alleged to have been subjected to sexual
6 assault, sexual abuse of a minor, child abuse, neglect, or voyeurism in any
7 degree;

8 (7) “Voyeurism” or “Voyeuring” shall mean:

9 (A) the act of a person gaining sexual pleasure from watching others
10 when they are naked, in a state of undress or partial dress, or engaged in
11 sexual activity and/or secretly records such activity; and/or

12 (B) the act of a person who gains sexual pleasure from secretly
13 watching other people in sexual situations, or (more generally) a person who
14 watches other people's private lives.

15 (8) “Consent” means:

16 (A) A person's behavior, including words and conduct, that
17 communicates the person's willingness to engage in a specific act of sexual
18 penetration or sexual contact.

19 (B) Neither verbal nor physical resistance is required to establish the
20 absence of consent; the person's behavior must be assessed in the context of
21 all the circumstances to determine whether the person has consented.

22 (C) Consent may be revoked any time before or during the act of sexual
23 penetration or sexual contact, by behavior communicating that the person
24 is no longer willing.”

HOUSE BILL 24-1, HS1

1 **SECTION 9. AMENDMENT.**

2 Title 6, Section 1320 is hereby amended to read as follows:

3 **“§ 1320. Admission of Other Act Evidence.**

4 (a) In a prosecution for a crime specified in this article, evidence of
5 other acts by the offender toward the same or another person is admissible
6 if the conduct, factual basis, or the initial charge, is of the same nature as
7 the crimes specified in this article.

8 (b) For purposes of this section, other conduct, factual basis, or initial
9 charge, referred to in subsection (a) need not have resulted in any criminal
10 charge or conviction specified in this article in order to be admissible.

11 (c) In a prosecution for a crime involving domestic violence or of
12 interfering with a report of a crime involving domestic violence, evidence of
13 other crimes involving domestic violence by the offender against the same
14 or another person is admissible.”

15 **SECTION 10. AMENDMENT.**

16 Title 6, Section 4102 subsections (d) (i) and (ii) are hereby amended to read
17 as follows:

18 “(d) RESERVED”.

19 **SECTION 11. SEVERABILITY.**

20 If any provisions of this Act or the application of any such provision to any
21 person or circumstance should be held invalid by a court of competent
22 jurisdiction, the remainder of this Act or the application of its provisions to
23 persons or circumstances other than those to which it is held invalid shall not be
24 affected thereby.

25 **SECTION 12. SAVINGS CLAUSE.**

26 This Act and any repealer contained herein shall not be construed as
27 affecting any existing right acquired under contract or acquired under statutes
28 repealed or under any rule, regulation, or order adopted under the statutes.

HOUSE BILL 24-1, HS1

1 Repealers contained in this Act shall not affect any proceeding instituted under
2 or pursuant to prior law. The enactment of the Act shall not have the effect of
3 terminating, or in any way modifying, any liability, civil or criminal, which shall
4 already be in existence on the date this Act becomes effective.

5 **SECTION 13. EFFECTIVE DATE.**

6 This Act shall take effect upon its approval by the Governor, or it becoming
7 law without such approval.


Attested to by:


Linda B. Muña, House Clerk

Certified by:


SPEAKER EDMUND S. VILLAGOMEZ
House of Representatives
24th Northern Marianas Commonwealth Legislature

Approved this 5th day of August, 2025


David M. Apatang
Governor
Commonwealth of the Northern Mariana Islands