



HC BILL 28-5

Consent & Marriage Correction Act of 2026

An Act to amend the Civil Code of the Totemian Empire concerning the age of sexual consent, close-in-age exceptions, incest, civil marriage, marriage and divorce registration fees, graduated penalties, corrective education, and sexual-offense registration.

BILL · 28TH TOTEMIAN PARLIAMENT

Introduced October 22nd, 2026

Nuxart (Member of the House of Commons, The Birthday Party)

Consent & Marriage Correction Act of 2026

Introduced By: Nuxart (The Birthday Party)

Date: October 22nd, 2026

Be it enacted by the Emperor's most Excellent Imperial Majesty, by and with the advice and consent of the Lords and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Long title

An Act to amend the Civil Code of the Totemian Empire concerning the age of sexual consent, close-in-age exceptions, incest, civil marriage, marriage and divorce registration fees, graduated penalties, corrective education, and sexual-offense registration.

Statement from Nuxart

I present this bill to address incest, clarify the separate rules for sexual consent and civil marriage, and increase marriage and divorce registration fees so that marriage is treated as a serious commitment.

Chapter 1 - Civil Marriage and Divorce

Section 1: Civil Marriage and Divorce

Title 1, Chapter 1, Article 6 of the Civil Code of the Totemian Empire is amended to read:

AMENDING TEXT

Article 6: Civil Marriage and Divorce

Section 1: Civil Marriage

A civil marriage is a lawful union between two individuals who:

- (a) consent to be married;
- (b) are both ~~of legal age in Totemia~~ at least 18 years of age;
- (c) are not already married under Totemian law; and
- (d) are not prohibited from marrying by any superior law.

Sex, gender, sexuality, or identity shall not prevent two otherwise eligible individuals from entering into a civil marriage.

~~For purposes of this Article, legal age means the age of consent recognized by Totemian law.~~ The minimum age for civil marriage is 18 years, independently of the age of sexual consent.

Section 2: Marriage Fee

The fee to register a civil marriage shall be ~~125~~1,000 SL.

AMENDING TEXT

A civil marriage shall not be officially recognized until the marriage fee is paid.

Section 3: Divorce

Either spouse may initiate a divorce.

Consent of both spouses shall not be required for divorce if one spouse lawfully initiates it and the divorce fee is paid.

The fee to register a divorce shall be ~~125~~1,000 SL.

Once the divorce fee is paid and the divorce is filed, the marriage shall be dissolved under Totemian civil law.

~~The Totemian Government may record the marriage or divorce for administrative purposes.~~ The Office of Civil Registration within the Ministry of Interior shall record civil marriages and divorces in the Imperial Civil Registry under Title 2, Chapter 9, Article 6.

Section 4: Royal Marriages

~~Marriages involving the royal family shall be exempt from these regulations.~~

Marriages and divorces involving a member of the Imperial Family are exempt from the civil requirements and prohibitions in Sections 1, 2, 3, and 6, including the minimum marriage age, restriction on an existing marriage, prohibited biological relationships, fees, registration, and dissolution requirements.

The reigning Monarch may by Imperial Order prescribe the rules governing those marriages and divorces, including their formation, recognition, registration, dissolution, and any conditions or limits on an exemption.

For purposes of this Section, the Imperial Family comprises:

- (a) the reigning Emperor or Empress;
- (b) the reigning Monarch's lawful consort, including the Imperial Consort, Queen consort of Omnislavia, Empress designate, or Empress consort of all the Totemias, as applicable under the Constitution;

AMENDING TEXT

(c) the Caesarevich of Totemia or another lawfully designated Heir to the Imperial Throne;

(d) Princes and Princesses recognized by the reigning Monarch as members of the Imperial Family; and

(e) any other person expressly recognized by Imperial Order as a member of the Imperial Family.

An exemption applies to both parties to the covered marriage or divorce. A public office, regency, noble title, or relationship to a member of the Imperial Family does not alone confer membership for purposes of this Section.

Section 5: Religious Non-Compulsion

Nothing in this Article shall require any religion, priest, minister, church, temple, or religious body to perform, bless, approve, or recognize a marriage contrary to its own doctrine.

Section 6: Prohibited Close Biological Relationships

A civil marriage shall not be registered between biological ancestors and descendants; full or half siblings; a biological aunt or uncle and that person's niece or nephew; or first cousins who share a biological grandparent. This prohibition applies regardless of adoption, legal parentage, ability to conceive, or prior knowledge of the relationship.

Entering a marriage without knowledge of a prohibited relationship shall not itself constitute a criminal offense. If the relationship is later established, the Office of Civil Registration shall refer the matter to a competent court to determine the marriage's civil status after notice to the parties and an opportunity to be heard.

Marriage between second cousins or more distant relatives shall not be prohibited solely because of biological relatedness. Restrictions imposed by superior law remain applicable.

Chapter 2 - Sexual Consent and Age of Consent

Section 1: Sexual Consent and Age of Consent

Title 7, Chapter 8, Article 18 of the Civil Code is amended by replacing its article heading and the headings of Sections 1 and 2, and by amending Section 3, as follows:

AMENDING TEXT

Article 18: ~~Consent and Sexual Offenses; General Rules~~ Sexual Consent and Age of Consent

Section 1: ~~Requirements and Withdrawal of Consent~~ Sexual Consent and Withdrawal

For sexual offenses, consent must be free, informed, specific to the conduct, and capable of being withdrawn at any time. Consent obtained by force, credible threat, unlawful coercion, abuse of custody, or deception as to the essential nature of the conduct is not valid.

Section 2: ~~Incapacity and Insufficient Indications of Consent~~ Incapacity to Give Sexual Consent

A person who is unconscious, asleep, or otherwise unable to understand and communicate a present choice cannot consent while that incapacity continues. A prior relationship, marriage, prior consent, silence, clothing, reputation, or failure to physically resist does not by itself establish consent.

Section 3: Age of Consent and ~~Exclusive Exception~~ Close-in-Age Exceptions

The legal age for sexual consent ~~remains nineteen~~ shall be 21 ~~Lenskov calendar~~ years unless superior law expressly provides otherwise. The exclusive close-in-age exception is stated in Title 7, Chapter 8, Article 21 and shall not be enlarged by implication.

AMENDING TEXT

Where either participant is under 21, the younger participant's age determines the applicable age-difference limit under Article 21. The minimum civil marriage age is governed separately by Title 1, Chapter 1, Article 6.

Section 2: Age of Consent, Close-in-Age Exceptions, and Age Fraud

Title 7, Chapter 8, Article 21 is amended by replacing its article heading and Sections 1 and 2, as follows:

AMENDING TEXT

Article 21: ~~Age-Based Sexual Offenses~~ Age of Consent, Close-in-Age Exceptions, and Age Fraud

Section 1: ~~Age-Based Offenses and the Close-in-Age Exception~~ Age-Based Sexual Offenses and Close-in-Age Exceptions

A person who knowingly engages in sexual conduct with a person below the legal age of consent commits an age-based sexual offense unless the close-in-age exception in this Article applies.

~~The exception applies only where consent is otherwise legally valid and: (a) the younger person is at least fourteen Lenskov calendar years old; (b) where the younger person is fourteen or fifteen, the older person is not more than twenty-four months older; or (c) where the younger person is sixteen, seventeen, or eighteen, the older person is not more than thirty-six months older.~~

The exception applies only where consent is otherwise legally valid, the younger participant is at least 14 years of age, and the difference between the participants' ages does not exceed:

- (a) 24 months where the younger participant is 14 or 15;
- (b) 36 months where the younger participant is 16 or 17;
- (c) 48 months where the younger participant is 18;
- (d) 60 months where the younger participant is 19; and

AMENDING TEXT

(e) 72 months where the younger participant is 20.

Age differences shall be measured from the participants' actual dates of birth. The stated maximum is inclusive. The younger participant's age governs even if the older participant is 21 or older. No age-difference limit applies under this Article where both participants are at least 21. A prior relationship does not exempt later conduct from these requirements.

No close-in-age exception applies where a participant uses force, coercion, threats, material age fraud, or abuse of custodial, educational, employment, military, judicial, governmental, financial, organizational, or comparable authority, or where a participant is otherwise incapable of valid consent.

Using a payment, gift, benefit, or financial dependence to coerce sexual conduct may constitute an offense under Articles 18 through 20. A difference in wealth or income alone does not establish an offense.

A person relying on the exception bears no burden to prove innocence; once the issue is fairly raised, the prosecution shall prove the relevant ages and the absence of the exception beyond a reasonable doubt.

Section 2: Material Age Fraud

A person commits material age fraud where, for the purpose of obtaining sexual consent that would otherwise be unlawful or refused, the person knowingly and materially misrepresents their age or knowingly presents falsified age records and the misrepresentation actually induces the sexual conduct.

Section 3: Independently Criminal Conduct

Title 7, Chapter 8, Article 21, Section 3 is amended by adding the following sentence:

AMENDING TEXT

Section 3: Independently Criminal Conduct

Nothing in this Article permits force, coercion, abuse of authority, conduct with a person incapable of consent, or another independently criminal act.

This includes knowing incest under Article 23 of this Chapter.

Section 4: Punishment for Age-Based Sexual Offenses and Age Fraud

Title 7, Chapter 8, Article 21 is amended by adding Section 4 immediately after Section 3, to read:

AMENDING TEXT

Section 4: Punishment for Age-Based Sexual Offenses and Age Fraud

For an offense under Section 1, the court may impose any lawful combination of the following measures within the applicable range:

- (a) Limited age-gap violation: imprisonment not exceeding 7 calendar days or a fine not exceeding 10,000 SL, or both. This range applies only where the younger participant is at least 16 years of age, the age difference exceeds the permitted limit by no more than 12 months, consent is otherwise legally valid, and no force, coercion, material age fraud, incapacity, or abuse of authority is proved.
- (b) Ordinary age-based offense: imprisonment not exceeding 30 calendar days or a fine not exceeding 50,000 SL, or both, where neither paragraph (a) nor paragraph (c) applies.
- (c) Aggravated age-based offense: imprisonment not exceeding 90 calendar days or a fine not exceeding 150,000 SL, or both, where the younger participant is under 14 years of age, or the offense involves force, coercion, a credible threat, incapacity to consent, or abuse of custody or authority.

AMENDING TEXT

For material age fraud under Section 2, the court may impose imprisonment not exceeding 14 calendar days or a fine not exceeding 25,000 SL, or both.

For a first limited age-gap violation, the court shall consider education or community service instead of a fine or imprisonment and shall give reasons for imposing custody. Education, community service, protective measures, and registration are governed by Article 24. A younger participant shall not be punished merely for being the person protected by the age restriction; that protection does not excuse a separately proved offense.

Chapter 3 - Incest

Section 1: Incest

Title 7, Chapter 8 of the Civil Code is amended by inserting Article 23 immediately after Article 22, Lawful Duels, and before Chapter 9, to read:

AMENDING TEXT

Article 23: Incest

Section 1: Prohibited Close Biological Relationships

For purposes of this Article, prohibited close biological relatives are:

- (a) biological ancestors and descendants at any generation;
- (b) full or half siblings;
- (c) a biological aunt or uncle and that person's niece or nephew; and
- (d) first cousins who share a biological grandparent.

Biological relationship governs regardless of adoption or legal parentage. Second cousins and more distant relatives are excluded. Adoption, stepfamily membership, guardianship, or foster care alone does not establish incest; offenses involving age, coercion, custody, or abuse of authority remain applicable.

Section 2: Knowing Incest

A person commits incest by intentionally engaging in sexual intercourse or other sexual contact with a prohibited close biological relative while actually knowing the biological facts establishing that relationship. The prosecution shall prove the conduct and knowledge at the time of the conduct beyond a reasonable doubt.

A person who did not know of the relationship when the conduct occurred is not guilty of incest for that conduct. Later discovery does not make earlier conduct criminal, but further prohibited conduct after acquiring knowledge is punishable.

A shared name, family record, biological probability, or opportunity to discover the relationship does not by itself establish actual knowledge. The court may consider relevant evidence of knowledge. Ignorance of the legal prohibition does not excuse knowledge of the biological relationship.

Section 3: Individual Responsibility and Other Offenses

Consent, a close-in-age exception, civil marriage, or inability to conceive does not excuse knowing incest. Each participant's liability shall be determined separately according to that person's conduct and knowledge.

A person subjected to force, coercion, incapacity, or nonconsensual conduct shall not be criminally liable merely for being the other participant. Separate sexual, age-based, and abuse-of-authority offenses remain subject to their own elements and the cumulative-liability rules in Title 7, Chapter 1, Article 10.

Section 4: Evidence and Judicial Determination

AMENDING TEXT

A biological relationship may be established by reliable civil records, ancestry evidence, admissions, or lawfully obtained genetic evidence. Disputed relationships shall be determined by a competent court. This Article does not authorize compulsory genetic testing or access to protected records without lawful authority.

Section 5: Punishment

Ordinary knowing incest may be punished by imprisonment not exceeding 30 calendar days or a fine not exceeding 50,000 SL, or both.

Knowing incest is aggravated where the offense involves a participant under 14 years of age, force, coercion, a credible threat, incapacity to consent, or abuse of parental, custodial, or comparable authority. Aggravated knowing incest may be punished by imprisonment not exceeding 90 calendar days or a fine not exceeding 150,000 SL, or both.

The court may also impose the education, community service, protective measures, and registration authorized by Article 24. Each participant's liability remains subject to Sections 2 and 3.

Chapter 4 - Sexual Offense Sentencing and Registration

Section 1: Education, Protective Measures, and Registration

Title 7, Chapter 8 of the Civil Code is amended by inserting Article 24 immediately after Article 23, as inserted by Chapter 3 of this Act, and before Chapter 9, to read:

Article 24: Sexual Offense Sentencing, Education, and Registration

Section 1: Scope and Judicial Discretion

This Article governs education, protective measures, and registration following conviction under Articles 19, 20, 21, or 23.

In selecting a proportionate sentence, the court shall consider conduct, knowledge, age, participation, exploitation, harm, prior convictions, rehabilitation, and risk of reoffending. Aggravating facts shall be proved beyond a reasonable doubt. Fines shall be determined under Title 7, Chapter 2, Article 6.

The court may select education, community service, a fine, imprisonment, or an authorized combination. No minimum fine or imprisonment is required. The court shall record reasons for the sentence, registration, and protective restrictions.

Section 2: Education and Community Service

The court may order 1 to 8 hours of education for a limited age-gap violation, or 1 to 24 hours for another covered offense. Education shall address the consent, age-verification, coercion, family-boundary, or other conduct relevant to the conviction. The Civil Corrections Administration's Rehabilitation, Education, and Reintegration Service shall arrange delivery or a court-approved equivalent and report completion.

Community service shall not exceed 12 hours for a limited age-gap violation or 60 hours for another offense under Article 21 or 23. The court shall set reasonable completion dates and may allow installments. Education shall be provided without charge. Unavailability of a course, genuine inability, or inability to pay shall not by itself justify imprisonment or a finding of deliberate noncompliance.

Section 3: Protective Measures and Other Offenses

On findings of necessity, the court may impose no-contact requirements, restrictions on specified premises or activities, or restrictions on authority or access connected to the offense for a term not exceeding 365 calendar days. An order shall identify its purpose, scope, duration, and any necessary arrangements for lawful family, employment, educational, or administrative contact. It may be varied or ended when no longer necessary.

Restitution, separately proved offenses, prior-conviction enhancements, and abuse-of-authority enhancements remain governed by Title 7, Chapters 1 and 2. The same harm shall not support duplicate recovery. These sentencing ranges do not reduce punishment otherwise authorized for a separately proved rape, sexual assault, coercion, forgery, or other offense.

Section 4: Sexual Offense Register

The National Gendarmerie and Police Administration shall maintain a confidential Sexual Offense Register. Following a final conviction under Article 19, 20, 21, or 23, the court may order registration only after notice and an opportunity to be heard, and a reasoned finding supported by evidence that the offender presents a continuing risk of sexual violence, coercion, or exploitation of a person below the age of consent or otherwise incapable of consent.

Conviction alone does not require registration. A limited age-gap violation, noncoercive age fraud, or knowing incest between otherwise consenting persons shall not by itself establish the required risk. No person shall be registered merely for being a victim, having an unknown biological relationship, or participating in conduct permitted by a close-in-age exception.

The registration order shall state a term of 30 to 365 calendar days and its commencement date. The court shall review continuing necessity at least every 90 calendar days, and the registered person may seek earlier review after a material change. Extension requires a fresh hearing and finding of continuing risk; registration under the same conviction shall not exceed 730 calendar days in total.

Section 5: Register Administration and Compliance

The Register shall record only the offender's lawful identifying information, relevant conviction, registration term, and operative protective conditions. Access shall be limited to competent courts and authorized investigative, prosecutorial, and corrections personnel for their lawful functions. The Register shall not be published. Disclosure to another person requires a court order identifying a specific protective necessity. Victim identities shall not be included in a disclosed extract.

A registered person shall receive written notice of the order, reporting duties, expiry date, and review rights, and shall report a material change in required identifying or contact information within 7 calendar days. A person who knowingly refuses to comply after notice and a reasonable opportunity to correct the failure may be fined not more than 10,000 SL or imprisoned for not more than 7 calendar days, or both. An innocent error or practical inability is not that offense.

An active entry shall be removed when the order expires or is discharged, or when the relevant conviction is quashed. Ordinary judicial records may be retained according to law. The Administration may prescribe secure administrative procedures but shall not add grounds for registration, extend a judicial term, or create additional criminal duties or penalties.

Section 6: Prospective Application

The penalties and registration powers added by this Act apply only to offenses committed after this Act enters into force. Liability and punishment for earlier conduct remain governed by the law applicable when it occurred.

END OF BILL



UNDER THE GREAT SEAL