

The American Law Institute  
MPC: Sexual Assault and Related Offenses Section 213.0(3)  
Approved by Membership May 17, 2016

#### Section 213.0 Definitions

##### (3) "Consent"

(a) "Consent" for purposes of Article 213 means a person's willingness to engage in a specific act of sexual penetration or sexual contact.

(b) Consent may be express or it may be inferred from behavior—both action and inaction—in the context of all the circumstances.

(c) Neither verbal nor physical resistance is required to establish that consent is lacking, but their absence may be considered, in the context of all the circumstances, in determining whether there was consent.

(d) Notwithstanding subsection (3)(b) of this Section, consent is ineffective when it occurs in circumstances described in Sections [reserved].

(e) Consent may be revoked or withdrawn any time before or during the act of sexual penetration or sexual contact. A clear verbal refusal—such as "No," "Stop," or "Don't"—establishes the lack of consent or the revocation or withdrawal of previous consent. Lack of consent or revocation or withdrawal of consent may be overridden by subsequent consent.

<https://www.ali.org/news/articles/updated-consent-definition/>