

ANAL OPENING OF ANOTHER PERSON'S BODY IF THAT INTRUSION CAN BE REASONABLY CONSTRUED AS BEING FOR THE PURPOSE OF SEXUAL AROUSAL OR GRATIFICATION OR FOR ABUSE OF EITHER PARTY. IT DOES NOT INCLUDE ACTS COMMONLY EXPRESSIVE OF FAMILIAL OR FRIENDLY AFFECTION, OR ACTS FOR ACCEPTED MEDICAL PURPOSES[[, NOR DOES IT MEAN OR INCLUDE VAGINAL INTERCOURSE, CUNNILINGUS, FELLATIO, OF ANAL INTERCOURSE]].

462.

(A) A PERSON IS GUILTY OF A SEXUAL OFFENSE IN THE FIRST DEGREE IF THE PERSON IS GUILTY OF HAVING COMMITTED A SEXUAL OFFENSE IN THE SECOND DEGREE AND [[EITHER]]:

(1) EMPLOYS OR DISPLAYS A DANGEROUS OR DEADLY WEAPON OR AN ARTICLE WHICH THE OTHER PERSON REASONABLY CONCLUDES IS A DANGEROUS OR DEADLY WEAPON; OR

[[ (2) INFLECTS SERIOUS PERSONAL PHYSICAL INJURY UPON ANYONE ELSE OR UPON THE VICTIM IN THE COURSE OF COMMITTING THE ACT; OR]]

(2) INFLECTS SEVERE PAIN, SUFFOCATION, STRANGULATION OR SERIOUS PHYSICAL INJURY UPON THE OTHER PERSON OR UPON ANYONE ELSE IN THE COURSE OF COMMITTING THE OFFENSE; OR

(3) THREATENS OR PLACES THE VICTIM IN FEAR THAT ANY PERSON IMMINENTLY WILL BE SUBJECTED TO DEATH, [[SERIOUS PERSONAL PHYSICAL INJURY]] SEVERE PAIN, SUFFOCATION, STRANGULATION, SERIOUS PHYSICAL INJURY, OR KIDNAPPING; OR

(4) THE PERSON COMMITS THE OFFENSE [[IN CONJUNCTION WITH OR]] AIDED AND ABETTED BY ONE OR MORE OTHER PERSONS; [[OR]]

[[ (5) THE OTHER PERSON IS LESS THAN 14 YEARS OLD AND THE PERSON IS FOUR OR MORE YEARS OLDER THAN THE OTHER PERSON. ]]

(B) A PERSON IS GUILTY OF A SEXUAL OFFENSE IN THE FIRST DEGREE IF THE PERSON ENGAGES IN A SEXUAL ACT WITH ANOTHER PERSON WHO IS 12 YEARS OLD OR UNDER AND THE PERSON PERFORMING THE SEXUAL ACT IS AT LEAST [[18 YEARS OLD]] FOUR OR MORE YEARS OLDER THAN THE OTHER PERSON.

[[ (B) ]] (C) THE COMMISSION OF A SEXUAL OFFENSE IN THE FIRST DEGREE IS A FELONY PUNISHABLE BY UP TO LIFE IMPRISONMENT.

463.

(A) A PERSON IS GUILTY OF A SEXUAL OFFENSE IN THE SECOND DEGREE IF THE PERSON ENGAGES IN A SEXUAL ACT WITH ANOTHER PERSON [[EITHER]]: