

(1) BY FORCE OR THREAT OF FORCE AGAINST THE WILL AND WITHOUT THE CONSENT OF THE OTHER PERSON; OR

(2) WHO IS MENTALLY DEFECTIVE, MENTALLY INCAPACITATED, OR PHYSICALLY HELPLESS, AND THE PERSON PERFORMING THE ACT KNOWS OR SHOULD REASONABLY KNOW THE OTHER PERSON IS MENTALLY DEFECTIVE, MENTALLY INCAPACITATED, OR PHYSICALLY HELPLESS; OR

(3) UNDER 15 YEARS OF AGE AND THE PERSON PERFORMING THE SEXUAL ACT IS FOUR OR MORE YEARS OLDER THAN THE VICTIM.

(B) ANY PERSON VIOLATING THE PROVISIONS OF THIS SECTION IS GUILTY OF A FELONY AND UPON CONVICTION IS SUBJECT TO IMPRISONMENT FOR A PERIOD OF NOT MORE THAN 20 YEARS.

464B.

(A) A PERSON IS GUILTY OF A SEXUAL OFFENSE IN THE THIRD DEGREE IF THE PERSON ENGAGES IN SEXUAL CONTACT:

(1) WITH ANOTHER PERSON AGAINST THE WILL AND WITHOUT THE CONSENT OF THE OTHER PERSON, AND:

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

(II) INFLECTS SUFFOCATION, STRANGULATION, DISFIGUREMENT OR SERIOUS PHYSICAL INJURY UPON THE OTHER PERSON OR UPON ANYONE ELSE IN THE COURSE OF COMMITTING THAT OFFENSE; OR

(III) THREATENS OR PLACES THE VICTIM IN FEAR THAT THE VICTIM OR ANY PERSON KNOWN TO THE VICTIM WILL BE IMMINENTLY SUBJECTED TO DEATH, SUFFOCATION, STRANGULATION, DISFIGUREMENT, SERIOUS PHYSICAL INJURY, OR KIDNAPPING; OR

(IV) COMMITS THE OFFENSE AIDED AND ABETTED BY ONE OR MORE OTHER PERSONS; OR

(2) WITH ANOTHER PERSON WHO IS MENTALLY DEFECTIVE, MENTALLY INCAPACITATED, OR PHYSICALLY HELPLESS, AND THE PERSON KNOWS OR SHOULD REASONABLY KNOW THE OTHER PERSON IS MENTALLY DEFECTIVE, MENTALLY INCAPACITATED, OR PHYSICALLY HELPLESS; OR

(3) WITH ANOTHER PERSON WHO IS UNDER 14 YEARS OF AGE AND THE PERSON PERFORMING THE SEXUAL CONTACT IS FOUR OR MORE YEARS OLDER THAN THE VICTIM.

(B) ANY PERSON VIOLATING THE PROVISIONS OF THIS SECTION IS GUILTY OF A FELONY AND UPON CONVICTION IS SUBJECT TO IMPRISONMENT FOR A PERIOD OF NOT MORE THAN 10 YEARS.