

464C.

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

(1) IN SEXUAL CONTACT WITH ANOTHER PERSON AGAINST THE WILL AND WITHOUT THE CONSENT OF THE OTHER PERSON; OR

(2) IN A SEXUAL ACT WITH ANOTHER PERSON WHO IS 15 YEARS OF AGE AND THE PERSON PERFORMING THE SEXUAL ACT IS FOUR OR MORE YEARS OLDER THAN THE OTHER PERSON; OR

(3) IN VAGINAL INTERCOURSE WITH ANOTHER PERSON WHO IS 14 OR 15 YEARS OF AGE AND THE PERSON PERFORMING THE SEXUAL ACT IS FOUR OR MORE YEARS OLDER THAN THE OTHER PERSON.

(B) ANY PERSON VIOLATING THE PROVISIONS OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND UPON CONVICTION IS SUBJECT TO IMPRISONMENT FOR A PERIOD OF NOT MORE THAN ONE YEAR, OR A FINE OF NOT MORE THAN \$1,000, OR BOTH FINE AND IMPRISONMENT.

464D.

A PERSON MAY NOT BE PROSECUTED UNDER SECTIONS 462, 463, 464B, AND 464C OF THIS SUBHEADING IF THE VICTIM IS THE PERSON'S LEGAL SPOUSE AT THE TIME OF THE COMMISSION OF THE ALLEGED RAPE OR SEXUAL OFFENSE UNLESS THE PARTIES ARE LIVING SEPARATE AND APART PURSUANT TO A DECREE OF DIVORCE A MENSA ET THORO.

464E.

UNDEFINED WORDS OR PHRASES IN THIS SUBHEADING WHICH DESCRIBE ELEMENTS OF THE COMMON LAW CRIME OF RAPE SHALL RETAIN THEIR JUDICIALLY DETERMINED MEANING EXCEPT TO THE EXTENT EXPRESSLY OR BY IMPLICATION CHANGED IN THIS SUBHEADING.

SECTION 3. AND BE IT FURTHER ENACTED, That [[Section 465]] Sections 465, 553 and 554 of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) be and [[it is]] they are hereby repealed and reenacted, with amendments, to read as follows:

Article 27 - Crimes and Punishments

465.

[Wherever any female shall be] IF A PERSON IS transported by any means, with the intent to violate [§§ 461, 462 and 464 of this article] THIS [[SUBTITLE]] SUBHEADING and the [said] intent [shall be] IS followed by actual violation of [any of the said sections] THIS [[SUBTITLE]] SUBHEADING, the circuit court of any county