

(a) A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

(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] HELPLESS.

464B.

(a) A person is guilty of a sexual offense in the third degree if the person engages in sexual contact:

(3) With another person who is under 14 years of age and the person performing the sexual contact [if] IS four or more years older than the victim.

639A.

(a) (5) Supplemental Powers of District Court Judge; Revocation, Change, or Modification of Release; Termination of Release; Probation. This section is supplemental to the powers of the District Court judge contained in § 643A of Article 27. At any time during the period of confinement imposed by the judge he may (i) revoke, change or modify [and] ANY release, or the conditions of such release, under this section in the manner and to the extent provided by Article 27, § 700A, (ii) release any prisoner under the provisions of this section, notwithstanding that he has already served part of a sentence previously imposed, or (iii) terminate any release pursuant to this section and place any person under probation as provided in § 643A of Article 27 of the Code.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved May 17, 1977.

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CHAPTER 292

(Senate Bill 934)

AN ACT concerning

Crimes - Rape

FOR the purpose of redefining first and second degree rape as it relates to commission of the offense with a person under a certain age by a person of a