

464A.

(a) A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person:

(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] 14 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.

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 14 OR 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 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.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act are applicable only to offenses committed after the effective date of this Act; and the repeal or amendment by this Act of crimes and offenses existing prior to the effective date of this Act does not preclude the prosecution of persons who, prior to the effective date of this Act, committed those crimes and offenses as those crimes and offenses then existed.