

(3) except as provided in § 3-307(a)(5) of this subtitle, vaginal intercourse with another if the victim is 14 or 15 years old, and the person performing the act is at least 4 years older than the victim.

(C) (1) EXCEPT AS PROVIDED IN § 3-307(A)(4) OF THIS SUBTITLE OR SUBSECTION (B)(2) OF THIS SECTION, A PERSON IN A POSITION OF AUTHORITY MAY NOT ENGAGE IN A SEXUAL ACT OR SEXUAL CONTACT WITH A MINOR WHO, AT THE TIME OF THE SEXUAL ACT OR SEXUAL CONTACT, IS A STUDENT ENROLLED AT A SCHOOL WHERE THE PERSON IN A POSITION OF AUTHORITY IS EMPLOYED.

(2) EXCEPT AS PROVIDED IN § 3-307(A)(5) OF THIS SUBTITLE OR SUBSECTION (B)(3) OF THIS SECTION, A PERSON IN A POSITION OF AUTHORITY MAY NOT ENGAGE IN VAGINAL INTERCOURSE WITH A MINOR WHO, AT THE TIME OF THE VAGINAL INTERCOURSE, IS A STUDENT ENROLLED AT A SCHOOL WHERE THE PERSON IN A POSITION OF AUTHORITY IS EMPLOYED.

[(b)](D) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of the misdemeanor of sexual offense in the fourth degree and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

(2) (i) On conviction of a violation of this section, a person who has been convicted on a prior occasion not arising from the same incident of a violation of §§ 3-303 through 3-312 or § 3-315 of this subtitle or § 3-602 of this title is subject to 6 imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

(ii) If the State intends to proceed against a person under subparagraph (i) of this paragraph, it shall comply with the procedures set forth in the Maryland Rules for the indictment and trial of a subsequent offender.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

Approved May 2, 2006.

CHAPTER 318

(House Bill 357)

AN ACT concerning

St. Mary's County - Alcoholic Beverages - Beer and Wine Tasting or Sampling

FOR the purpose of establishing in St. Mary's County a 1-day Class BWTS beer and wine (on-premises) tasting or sampling license; specifying certain persons to whom a license may be issued; providing for a license fee; authorizing the holder of a license to allow the consumption of wine or beer under certain conditions; establishing certain restrictions on consumption; limiting the number of licenses that may be granted to a person in a calendar year; requiring the disposal of