

(v) commit the crime in connection with a burglary in the first, second, or third degree.

(b) A PERSON MAY NOT VIOLATE SUBSECTION (A) OF THIS SECTION WHILE ALSO VIOLATING § 3-503(A)(2) OF THIS TITLE INVOLVING A VICTIM WHO IS A CHILD UNDER THE AGE OF 16 YEARS.

(C) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a person who violates SUBSECTION (A) OF this section is guilty of the felony of sexual offense in the first degree and on conviction is subject to imprisonment not exceeding life.

(2) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF THE FELONY OF SEXUAL OFFENSE IN THE FIRST DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING LIFE WITHOUT THE POSSIBILITY OF PAROLE.

(3) A person who violates this section is guilty of the felony of sexual offense in the first degree and on conviction is subject to imprisonment not exceeding life without the possibility of parole if:

(i) the person is convicted in the same proceeding of violating § 3-503(a)(2) of this title and the victim was a child under the age of 16 years; or

(ii) the defendant was previously convicted of violating this section or § 3-303 of this subtitle.

[(c)] (D) If the State intends to seek a sentence of imprisonment for life without the possibility of parole under subsection [(b)(2)] (C)(2) OR (3) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial.

3-503.

(a) (1) A person may not, without color of right:

(i) forcibly abduct, take, or carry away a child under the age of 12 years from:

1. the home or usual place of abode of the child; or
2. the custody and control of the child's parent or legal guardian;

(ii) without the consent of the child's parent or legal guardian, persuade or entice a child under the age of 12 years from:

1. the child's home or usual place of abode; or
2. the custody and control of the child's parent or legal guardian; or