

substituted for the former references to the "other person" for clarity and consistency within this subtitle.

In subsection (a)(2) of this section, the reference to the "sexual" act is added for clarity.

Defined terms: "Mentally defective individual" § 3-301

"Mentally incapacitated individual" § 3-301

"Person" § 1-101

"Physically helpless individual" § 3-301

"Sexual act" § 3-301

3-307. SEXUAL OFFENSE IN THE THIRD DEGREE.

(A) PROHIBITED.

A PERSON MAY NOT:

(1) (I) ENGAGE IN SEXUAL CONTACT WITH ANOTHER WITHOUT THE CONSENT OF THE OTHER; AND

(II) 1. EMPLOY OR DISPLAY A DANGEROUS WEAPON, OR A PHYSICAL OBJECT THAT THE VICTIM REASONABLY BELIEVES IS A DANGEROUS WEAPON;

2. SUFFOCATE, STRANGLE, DISFIGURE, OR INFLICT SERIOUS PHYSICAL INJURY ON THE VICTIM OR ANOTHER IN THE COURSE OF COMMITTING THE CRIME;

3. THREATEN, OR PLACE THE VICTIM IN FEAR, THAT THE VICTIM, OR AN INDIVIDUAL KNOWN TO THE VICTIM, IMMINENTLY WILL BE SUBJECT TO DEATH, SUFFOCATION, STRANGULATION, DISFIGUREMENT, SERIOUS PHYSICAL INJURY, OR KIDNAPPING; OR

4. COMMIT THE CRIME WHILE AIDED AND ABETTED BY ANOTHER;

(2) ENGAGE IN SEXUAL CONTACT WITH ANOTHER IF THE VICTIM IS A MENTALLY DEFECTIVE INDIVIDUAL, A MENTALLY INCAPACITATED INDIVIDUAL, OR A PHYSICALLY HELPLESS INDIVIDUAL, AND THE PERSON PERFORMING THE ACT KNOWS OR REASONABLY SHOULD KNOW THE VICTIM IS A MENTALLY DEFECTIVE INDIVIDUAL, A MENTALLY INCAPACITATED INDIVIDUAL, OR A PHYSICALLY HELPLESS INDIVIDUAL;

(3) ENGAGE IN SEXUAL CONTACT WITH ANOTHER IF THE VICTIM IS UNDER THE AGE OF 14 YEARS, AND THE PERSON PERFORMING THE SEXUAL CONTACT IS AT LEAST 4 YEARS OLDER THAN THE VICTIM;

(4) ENGAGE IN A SEXUAL ACT WITH ANOTHER IF THE VICTIM IS 14 OR 15 YEARS OLD, AND THE PERSON PERFORMING THE SEXUAL ACT IS AT LEAST 21 YEARS OLD; OR