

CHAPTER 524

(House Bill 923)

AN ACT concerning

Sexual Offenses - ~~No Means No~~ Spousal Defense

FOR the purpose of ~~prohibiting a person from engaging in vaginal intercourse with another without the consent of the other; prohibiting a person from engaging in a sexual act with another without the consent of the other; defining a certain term; providing for certain criminal penalties; repealing~~ modifying provisions relating to a certain spousal defense; ~~providing that a person may be prosecuted under a certain subtitle for a crime against a certain victim under certain circumstances;~~ and generally relating to sexual offenses.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section ~~3-301 and 3-307~~ 3-318

Annotated Code of Maryland

(2002 Volume and 2003 Supplement)

BY repealing

Article - Criminal Law

Section ~~3-318~~

Annotated Code of Maryland

(2002 Volume and 2003 Supplement)

BY adding to

Article - Criminal Law

Section ~~3-318~~

Annotated Code of Maryland

(2002 Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Law

~~3-301.~~

(a) In this subtitle the following words have the meanings indicated.

(B) ~~"FORCE" DOES NOT REQUIRE PROOF THAT A VICTIM PHYSICALLY RESISTED, BUT OTHERWISE RETAINS ITS JUDICIALLY DETERMINED MEANING.~~

~~[(b)]-(C) "Mentally defective individual" means an individual who suffers from mental retardation or a mental disorder, either of which temporarily or permanently renders the individual substantially incapable of:~~