- (a) The act of sexual intercourse;
- (b) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or satisfy the sexual desires of either the child or the offender or both.
- (2) Aggravated indecent liberties with a ward child is a class B felony.
- Sec. 5. K.S.A. 21-3505 is hereby amended to read as follows: 21-3505. (1) Criminal sodomy is oral or anal copulation sodomy between persons who are not husband and wife or consenting adult members of the opposite same sex, or between a person and an animal, or coitus with an animal. Any penetration, however slight, is sufficient to complete the crime of sodomy.
 - (2) Criminal sodomy is a class B misdemeanor.

Sec. 6. K.S.A. 21-3506 is hereby amended to read as follows: 21-3506. Aggravated *criminal* sodomy is sodomy committed:

(a) With force or threat of force, or where bodily harm is inflicted on the victim during the commission of the crime; or

(b) With a child under the age of sixteen (16) years:

(a) Sodomy with a child who is not married to the offender and who is under 16 years of age;

(b) causing a child under 16 years of age to engage in sodomy

with any person or an animal; or

- (c) sodomy with a person who does not consent to the sodomy or causing a person, without the person's consent, to engage in sodomy with any person or an animal, under any of the following circumstances:
 - (i) When the victim is overcome by force or fear;

(ii) when the victim is unconscious or physically powerless;

(iii) when the victim is incapable of giving consent because of mental deficiency or disease, which condition was known by the offender or was reasonably apparent to the offender; or

- (iv) when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance administered to the victim by the offender, or by another person with the offender's knowledge, unless the victim voluntarily consumes or allows the administration of the substance with knowledge of its nature.
 - (2) Aggravated criminal sodomy is a class B felony.

Sec. 7. K.S.A. 21-3507 is hereby amended to read as follows: 21-3507. (1) Adultery is engaging in sexual intercourse by or sodomy with a person with another who is not his spouse who is not married to the offender if:

(a) Such person The offender is married; or

- (b) Such person The offender is not married and knows that the other person involved in such intercourse the act is married.
 - (2) Adultery is a class C misdemeanor.

[Ch. 109]

Sec. 8. K.S.A. 21-3508 is hereby amended to read as follows: 21-3508. (1) Lewd and lascivious behavior is:

- (a) The commission of an act of Engaging in sexual intercourse or sodomy with any person or animal with knowledge or reasonable anticipation that the participants are being viewed by others; or
- (b) the exposure of a sex organ in a public place, or in the presence of a person who is not the spouse of the offender or and who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another.

(2) Lewd and lascivious behavior is a class B misdemeanor.

- Sec. 9. K.S.A. 21-3512 is hereby amended to read as follows: 21-3512. (1) Prostitution is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:
 - (a) Sexual intercourse; or

(b) oral or anal copulation sodomy; or

- (c) manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.
 - (2) Prostitution is a class B misdemeanor.

Sec. 10. K.S.A. 21-3515 is hereby amended to read as follows: 21-3515. (1) Patronizing a prostitute is either:

- (a) Knowingly entering or remaining in a house of prostitution with intent to engage in sexual intercourse, *sodomy* or any unlawful sexual act with a prostitute; or
- (b) knowingly hiring a prostitute to engage in sexual intercourse, sodomy or any unlawful sexual act.
 - (2) Patronizing a prostitute is a class C misdemeanor.
- Sec. 11. K.S.A. 21-3602 is hereby amended to read as follows: 21-3602. Incest is marriage to or engaging in sexual intercourse or sodomy with a person who is 16 or more years of age and who is known to the defendant offender to be related to him the offender as brother or, sister of the one half as well as the whole blood, half-brother, half-sister, uncle, aunt, nephew or niece.

Incest is a class E felony.

Sec. 12. K.S.A. 21-3603 is hereby amended to read as follows: 21-3603. (1) Aggravated incest is *engaging in* sexual intercourse, *sodomy* or any unlawful sexual act by a parent with a person he knows is his child.