

510.050 Rape in the second degree.

- (1) A person is guilty of rape in the second degree when:
 - (a) Being eighteen (18) years old or more, he or she engages in sexual intercourse with another person less than fourteen (14) years old; or
 - (b) He or she engages in sexual intercourse with another person who is mentally incapacitated or who is incapable of consent because he or she is an individual with an intellectual disability.
- (2) Rape in the second degree is a Class C felony, unless the defendant is a person in a position of authority or position of special trust as those terms are defined in KRS 532.045, in which case it is a Class B felony.

Effective: July 15, 2024

History: Amended 2024 Ky. Acts ch. 106, sec. 4, effective July 15, 2024. -- Amended 2018 Ky. Acts ch. 109, sec. 1, effective July 14, 2018. -- Amended 2002 Ky. Acts ch. 259, sec. 3, effective July 15, 2002. -- Created 1974 Ky. Acts ch. 406, sec. 85, effective January 1, 1975.