

**510.070 Sodomy in the first degree.**

- (1) A person is guilty of sodomy in the first degree when:
  - (a) He engages in deviate sexual intercourse with another person by forcible compulsion; or
  - (b) He engages in deviate sexual intercourse with another person who is incapable of consent because he:
    1. Is physically helpless; or
    2. Is less than twelve (12) years old.
- (2) Sodomy in the first degree is a Class B felony unless the victim is under twelve (12) years old or receives a serious physical injury in which case it is a Class A felony.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 87, effective January 1, 1975.