

House Amendment to
Senate File 2097

S-5087

1 Amend Senate File 2097, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 709.9, Code 2020, is amended to read as
5 follows:

6 **709.9 Indecent exposure — masturbation.**

7 1. A person who exposes the person's genitals or ~~pubes~~ pubic
8 area to another not the person's spouse, or who commits a sex
9 act in the presence of or view of a third person, commits a
10 serious misdemeanor, ~~if~~ if all of the following apply:

11 ~~1. a.~~ a. The person does so to arouse or satisfy the sexual
12 desires of either party, ~~and.~~

13 ~~2. b.~~ b. The person knows or reasonably should know that the
14 act is offensive to the viewer.

15 2. a. A person who masturbates in public in the presence of
16 another, not a child, commits a serious misdemeanor.

17 b. A person who masturbates in public in the presence of a
18 child commits an aggravated misdemeanor.

19 c. For the purpose of this subsection, "masturbate" means
20 physical stimulation of a person's own genitals or pubic area
21 for the purpose of sexual gratification or arousal of the
22 person, regardless of whether the genitals or pubic area is
23 exposed or covered.>

24 2. Title page, line 1, after <exposure> by inserting <,
25 providing penalties,>