

JAN 21 1998  
JUDICIARY

HOUSE FILE 2061  
BY HOUSER and WEIDMAN

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act to establish the offense of public indecency and providing  
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2061

1 Section 1. NEW SECTION. 709.9A PUBLIC INDECENCY.

2 1. A person who is age eighteen or older commits the  
3 offense of public indecency when the person commits a sex act  
4 in a public place.

5 2. For purposes of this section, "public place" means any  
6 place, building, or conveyance to which the public has or is  
7 permitted access, and shall include, but is not limited to,  
8 restrooms, parks, school grounds, and government property.

9 3. Except as otherwise provided in subsection 4, public  
10 indecency is a serious misdemeanor.

11 4. Public indecency which is committed in the presence of  
12 a child who is under the age of fourteen is an aggravated  
13 misdemeanor.

14 EXPLANATION

15 This bill establishes the new misdemeanor offense for  
16 persons age 18 or older of public indecency. A person commits  
17 the crime of public indecency when the person commits a sex  
18 act while in a public place. A public place is defined as a  
19 place, building, or conveyance in which the public has or is  
20 permitted access and includes restrooms, parks, school  
21 grounds, and government property. Public indecency is a  
22 serious misdemeanor unless it is committed in the presence of  
23 a child under the age of 14. In the latter case the offense  
24 is punishable as an aggravated misdemeanor.

25 A serious misdemeanor is punishable by imprisonment of up  
26 to one year in jail and a fine of not less than \$250 and not  
27 more than \$1,500. An aggravated misdemeanor is punishable by  
28 imprisonment of up to two years and a fine of not less than  
29 \$500 and not more than \$5,000.

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