

SENATE FILE 48
BY LAMBERTI

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the criminal offense of indecent exposure, and
2 providing a penalty.

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

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SF 48
JUDICIARY

1 Section 1. Section 709.9, Code 2003, is amended to read as
2 follows:

3 709.9 INDECENT EXPOSURE.

4 1. A person who exposes the person's genitals or pubes to
5 another not the person's spouse, or who commits a sex act in
6 the presence of or view of a third person, commits a ~~serious~~
7 misdemeanor indecent exposure, if the following apply:

8 1- a. The person does so to arouse or satisfy the sexual
9 desires of either party; ~~and.~~

10 2- b. The person knows or reasonably should know that the
11 act is offensive to the viewer.

12 2. A person who commits indecent exposure commits a class
13 "D" felony if the other person or viewer is a minor. Any
14 indecent exposure which is not a class "D" felony is a serious
15 misdemeanor.

16 EXPLANATION

17 This bill relates to the criminal offense of indecent
18 exposure. The bill increases the penalty for indecent
19 exposure from a serious misdemeanor to a class "D" felony if
20 the victim of the offense is a minor.

21 A serious misdemeanor is punishable by confinement for no
22 more than one year and a fine of at least \$250 but not more
23 than \$1,500. A class "D" felony is punishable by confinement
24 for no more than five years and a fine of at least \$750 but
25 not more than \$7,500.

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