

**House File 159 - Introduced**

HOUSE FILE 159

BY WOLFE

**A BILL FOR**

1 An Act modifying the penalties for persons eighteen years of  
2 age or older who commit indecent exposure.

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

1 Section 1. Section 709.9, Code 2017, 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, if all of 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, eighteen years of age or older, who exposes  
13 the person's genitals or pubes to another not the person's  
14 spouse, or who commits a sex act in the presence of or view of  
15 a third person, commits an aggravated misdemeanor, if all of  
16 the following apply:

17 a. The person does so to arouse or satisfy the sexual  
18 desires of either party.

19 b. The person knows or reasonably should know that the act  
20 is offensive to the viewer.

21 c. The viewer is under thirteen years of age.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill modifies the penalties for persons 18 years of age  
26 or older who commit indecent exposure.

27 The bill increases the penalties for indecent exposure from  
28 a serious misdemeanor to an aggravated misdemeanor for acts  
29 involving a person 18 years of age or older who exposes oneself  
30 or commits a sex act in the presence of or view of a third  
31 person and the viewer of the indecent exposure is under 13  
32 years of age.

33 A person who commits indecent exposure must register as a sex  
34 offender for 10 years and is subject to an additional 10-year  
35 special sentence pursuant to Code section 903B.2 after the

1 sentence for indecent exposure ends.

2 A serious misdemeanor is punishable by confinement for no  
3 more than one year and a fine of at least \$315 but not more than  
4 \$1,875. An aggravated misdemeanor is punishable by confinement  
5 for no more than two years and a fine of at least \$625 but not  
6 more than \$6,250.