

# HOUSE BILL 1001

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11r2205  
CF 11r2316

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By: **Delegate Pippy**

Introduced and read first time: February 5, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

AN ACT concerning

### **Criminal Law – Indecent Exposure With Lascivious or Prurient Intent**

FOR the purpose of prohibiting a person from indecently exposing private parts of the person's body with lascivious or prurient intent in a public place in the presence of another; altering a certain definition of "tier I sex offender" to include a person who has been convicted of conspiring to commit, attempting to commit, or committing indecent exposure with lascivious or prurient intent in a public place in the presence of another; establishing penalties for a violation of this Act; making a certain conforming change; and generally relating to indecent exposure.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–107  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Criminal Law  
Section 11–108  
Annotated Code of Maryland  
(2012 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(o)(1)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 11–704(a)  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 That the Laws of Maryland read as follows:

### **Article – Criminal Law**

11–107.

**[A] EXCEPT AS PROVIDED IN § 11–108 OF THIS SUBTITLE, A person convicted of THE COMMON LAW OFFENSE OF indecent exposure is guilty of a misdemeanor and is subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.**

**11–108.**

**(A) A PERSON MAY NOT INDECENTLY EXPOSE PRIVATE PARTS OF THE PERSON’S BODY WITH LASCIVIOUS OR PRURIENT INTENT IN A PUBLIC PLACE IN THE PRESENCE OF ANOTHER.**

**(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

### **Article – Criminal Procedure**

11–701.

(o) “Tier I sex offender” means a person who has been convicted of:

(1) conspiring to commit, attempting to commit, or committing a violation of § 3–308 **OR § 11–108** of the Criminal Law Article;

11–704.

(a) A person shall register with the person’s supervising authority if the person is:

(1) a tier I sex offender;

(2) a tier II sex offender;

(3) a tier III sex offender; or

(4) a sex offender who is required to register by another jurisdiction, a

federal, military, or tribal court, or a foreign government, and who is not a resident of this State, and who enters this State:

- (i) to begin residing or to habitually live;
- (ii) to carry on employment;
- (iii) to attend a public or private educational institution, including a secondary school, trade or professional institution, or institution of higher education, as a full-time or part-time student; or
- (iv) as a transient.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.