

HOUSE BILL 212

E1
HB 34/22 – JUD

3lr0325
CF SB 208

By: **Delegates Crosby and Pippy**

Introduced and read first time: January 20, 2023

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 22, 2023

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Indecent Exposure Within the Sight of a Minor**

3 FOR the purpose of prohibiting a person from committing the common law crime of indecent
4 exposure; prohibiting a person from, with prurient intent, committing the common
5 law crime of indecent exposure within the sight of a minor who is at least a certain
6 age and who is more than a certain number of years younger than the person; and
7 generally relating to indecent exposure.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 11–107
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2022 Supplement)

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

15 **Article – Criminal Law**

16 11–107.

17 (a) In this section, “indecent exposure” includes engaging in an act of
18 masturbation in public, whether or not the person’s genitalia are exposed.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(B) A PERSON MAY NOT COMMIT THE COMMON LAW CRIME OF INDECENT**
2 **EXPOSURE.**

3 **(C) A PERSON MAY NOT WITH PRURIENT INTENT COMMIT THE COMMON LAW**
4 **CRIME OF INDECENT EXPOSURE WITHIN THE SIGHT OF A MINOR WHO IS:**

5 **(1) AT LEAST 2 YEARS OLD; AND**

6 **(2) MORE THAN 4 YEARS YOUNGER THAN THE PERSON.**

7 **[(b)] (D) (1) A person [convicted of indecent exposure] WHO VIOLATES**
8 **SUBSECTION (B) OF THIS SECTION** is guilty of a misdemeanor and **ON CONVICTION** is
9 subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

10 **(2) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS**
11 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**
12 **NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.