

# SENATE BILL 208

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3lr1164  
CF HB 212

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By: **Senator Bailey**

Introduced and read first time: January 23, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

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.

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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