

SENATE BILL 515

E1

0lr2847

By: **Senators Waldstreicher, Augustine, Feldman, and Lee**

Introduced and read first time: January 30, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Indecent Exposure – Elements**

3 FOR the purpose of establishing that the offense of indecent exposure prohibits a person
4 from, in public, intentionally making an obscene or indecent exposure of the person's
5 genitalia or anus, engaging in a certain act of masturbation, or engaging in a certain
6 sexual act; defining a certain term; and generally relating to the crime of indecent
7 exposure.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 11–107
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2019 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, “MASTURBATION” INCLUDES AN ACTUAL OR**
18 **EXPLICITLY SIMULATED ACT OF MASTURBATION, WHETHER OR NOT THE PERSON’S**
19 **GENITALIA ARE EXPOSED.**

20 **(B) A PERSON MAY NOT, IN PUBLIC, INTENTIONALLY:**

21 **(1) MAKE AN OBSCENE OR INDECENT EXPOSURE OF THE PERSON’S**
22 **GENITALIA OR ANUS;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) ENGAGE IN MASTURBATION; OR**

2 **(3) ENGAGE IN A SEXUAL ACT, AS DEFINED IN § 3-301 OF THIS**
3 **ARTICLE.**

4 **(C) A person [convicted of] WHO VIOLATES THIS SECTION IS GUILTY OF THE**
5 **MISDEMEANOR OF** indecent exposure [is guilty of a misdemeanor] and is subject to
6 imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2020.