

JUDICIARY

FILED FEB 19 1901

SENATE FILE 228

BY FREEMAN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the crime of indecent exposure.

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

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SF 228  
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1 Section 1. Section 709.9, Code 2001, is amended to read as  
2 follows:

3 709.9 INDECENT EXPOSURE.

4 A person who exposes the person's genitals or pubes ~~to~~ in  
5 the presence of or view of another who is not the person's  
6 spouse, or who commits a sex act in the presence of or view of  
7 a third person, commits a serious misdemeanor, if:

8 1. The person does so to arouse or satisfy the sexual  
9 desires of either party, or of any other person who can  
10 reasonably be expected to be present or viewing; and

11 2. The person knows or reasonably should know that the act  
12 is offensive to ~~the-viewer~~ any person who can reasonably be  
13 expected to be present or viewing.

14 EXPLANATION

15 This bill relates to the definition of the criminal offense  
16 of indecent exposure.

17 The bill changes the definition of the offense of indecent  
18 exposure to include a situation in which a person exposes the  
19 person's genitals or pubes, or commits a sex act, in the  
20 presence or view of another who is not the person's spouse and  
21 the person does so to arouse or satisfy the sexual desires of  
22 either party, or any person who can reasonably be expected to  
23 be present or viewing, and the person knows or reasonably  
24 should know the act would be offensive.

25 Current law defines indecent exposure as any person who  
26 exposes the person's genitals or pubes to another who is not  
27 the person's spouse, or who commits a sex act in the presence  
28 or view of a third person, commits the crime of indecent  
29 exposure, if the act is done to arouse or satisfy the sexual  
30 desires of either party, and the person knows or reasonably  
31 should know the act is offensive.

32 A person who commits indecent exposure is guilty of a  
33 serious misdemeanor. A serious misdemeanor is punishable by  
34 confinement for no more than one year and a fine of at least  
35 \$250 but not more than \$1,500.