

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

538Q0629

SENATE JUDICIARY ENGROSSED NO. **HB 1153** 3/5/2009

Introduced by: Representatives Cutler, Bolin, Fargen, Frerichs, Krebs, Lust, Peters, Steele, Thompson, and Turbiville and Senators Gillespie, Dempster, Gray, and Novstrup (Al)

1 FOR AN ACT ENTITLED, An Act to revise the elements of the crime of indecent exposure
2 involving a child.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-24-1.3 be amended to read as follows:

5 22-24-1.3. If any person, eighteen years of age or older, with the intent to arouse or gratify
6 the sexual desire of any person, intentionally exposes his or her genitals ~~under circumstances~~
7 ~~in which that person knows that his or her conduct is likely to annoy, offend, or alarm some to~~
8 a child, thirteen years of age or younger, that person is guilty of the crime of indecent exposure
9 involving a child. Indecent exposure involving a child is a Class 6 felony. A second or
10 subsequent conviction for indecent exposure involving a child is a Class 5 felony.

