

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 959

4  
5 By: Senator Malone  
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## For An Act To Be Entitled

8  
9 AN ACT TO REMOVE THE ENHANCED PENALTY PROVISIONS  
10 CONCERNING INDECENT EXPOSURE; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13  
14 AN ACT TO REMOVE THE ENHANCED PENALTY  
15 PROVISIONS CONCERNING INDECENT EXPOSURE.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 5-14-112 is amended to read as follows:

21 5-14-112. Indecent exposure.

22 (a) A person commits indecent exposure if, with the purpose to arouse  
23 or gratify the sexual desire of the person or of any other person, he or she  
24 exposes his or her sex organs:

25 (1) In a public place or in public view; or

26 (2) Under circumstances in which the person knows the conduct is  
27 likely to cause affront or alarm.

28 (b)~~(1)~~ Indecent exposure is a Class A misdemeanor.

29 ~~(2)(A) If the indecent exposure is committed against a person~~  
30 ~~under the age of fifteen (15) years, a second or subsequent offense of~~  
31 ~~indecent exposure against a person under the age of fifteen (15) years shall~~  
32 ~~be a Class D felony.~~

33 ~~(B) Subdivision (b)(2)(A) of this section shall not apply~~  
34 ~~if the actor is under the age of eighteen (18) years at the time of the~~  
35 ~~offense.~~  
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