

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/27/09

A Bill

HOUSE BILL 1713

5 By: Representatives D. Creekmore, Garner
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For An Act To Be Entitled

9 AN ACT TO INCREASE THE PENALTY CLASSIFICATION FOR
10 INDECENT EXPOSURE FOR A PERSON IN A POSITION OF
11 TRUST OR AUTHORITY OVER THE VICTIM; AND FOR OTHER
12 PURPOSES.
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Subtitle

14 TO INCREASE THE PENALTY CLASSIFICATION
15 FOR INDECENT EXPOSURE FOR A PERSON IN A
16 POSITION OF TRUST OR AUTHORITY OVER THE
17 VICTIM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-14-112 is amended to read as follows:
24 5-14-112. Indecent exposure.

25 (a) A person commits indecent exposure if, with the purpose to arouse
26 or gratify a sexual desire of himself or herself or of any other person, the
27 person exposes his or her sex organs:

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

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

31 (b)(1) Except as provided in subdivisions (b)(2) and ~~(b)~~(3) of this
32 section or subdivisions (c)(1) and (2) of this section, indecent exposure is
33 a Class A misdemeanor.

34 (2) For a fourth or fifth conviction within ten (10) years of a
35 previous conviction, indecent exposure is a Class D felony.

36 (3) For a sixth conviction and each successive conviction within



1 ten (10) years of a previous conviction, indecent exposure is a Class C
2 felony.

3 (c)(1) Except as provided in subdivision (c)(2) of this section,
4 indecent exposure is a Class D felony if the actor is an employee in the
5 victim's school or school district.

6 (2) For a second and each successive conviction under
7 subdivision (c)(1) of this section, indecent exposure is a Class C felony.

8 ~~(e)(d)~~ A woman is not in violation of this section for breastfeeding a
9 child in a public place or any place where other individuals are present.

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11 /s/ D. Creekmore
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