

HOUSE BILL NO. 1183

Introduced by

Representatives Boschee, Hanson, K. Koppelman, Maragos, M. Nelson, Roers Jones

Senators Armstrong, D. Larson, Nelson, Piepkorn

1 A BILL for an Act to amend and reenact section 12.1-20-12.1 of the North Dakota Century
2 Code, relating to indecent exposure toward minors.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12.1-20-12.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12.1-20-12.1. Indecent exposure.**

7 1. A person, with intent to arouse, appeal to, or gratify that person's lust, passions, or
8 sexual desires, is guilty of a class A misdemeanor if that person:

9 a. Masturbates in a public place or in the presence of a minor; or

10 b. Exposes one's penis, vulva, or anus in a public place; ~~or to a minor in a public or~~
11 ~~private place.~~

12 c. Exposes one's penis, vulva, or anus to a minor in a public or private place, or by
13 electronic means. Electronic means include images and pictures transmitted via
14 electronic mail, electronic messaging, or from an electronic communications
15 device.

16 2. A person is guilty of a class C felony if the person violates subsection 1 after a
17 previous conviction for violating subsection 1, after a previous conviction for violating
18 section 12.1-20-12.2, or after being required to register under section 12.1-32-15.

19 3. A person who commits a violation of subdivision a or b of subsection 1 within fifty feet
20 [15.24 meters] of or on the real property comprising a public or nonpublic elementary,
21 middle, or high school is guilty of a class C felony. A person who commits a violation of
22 subsection 2 within fifty feet [15.24 meters] of or on the real property comprising a
23 public or nonpublic elementary, middle, or high school is guilty of a class B felony.

24 4. The act of a woman discreetly breastfeeding her child is not a violation of this section.