

# HOUSE BILL 5

E1  
HB 212/23 – JUD

(PRE-FILED)

4lr0453  
CF SB 130

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By: **Delegate Crosby**

Requested: August 4, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Law – Indecent Exposure Within the Presence of a Minor**

3 FOR the purpose of prohibiting a person from committing the common law crime of indecent  
4 exposure; prohibiting a person from, with prurient intent, committing the common  
5 law crime of indecent exposure when the person knows or reasonably should know  
6 that a minor is present and the minor is at least a certain age and is more than a  
7 certain number of years younger than the person; and generally relating to indecent  
8 exposure.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 11–107  
12 Annotated Code of Maryland  
13 (2021 Replacement Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That the Laws of Maryland read as follows:

16 **Article – Criminal Law**

17 11–107.

18 (a) In this section, “indecent exposure” includes engaging in an act of  
19 masturbation in public, whether or not the person’s genitalia are exposed.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (B) A PERSON MAY NOT COMMIT THE COMMON LAW CRIME OF INDECENT  
2 EXPOSURE.

3 (C) A PERSON MAY NOT WITH PRURIENT INTENT COMMIT THE COMMON LAW  
4 CRIME OF INDECENT EXPOSURE WHEN THE PERSON KNOWS OR REASONABLY  
5 SHOULD KNOW THAT A MINOR IS PRESENT AND THE MINOR IS:

6 (1) AT LEAST 2 YEARS OLD; AND

7 (2) MORE THAN 4 YEARS YOUNGER THAN THE PERSON.

8 [(b)] (D) (1) A person [convicted of indecent exposure] WHO VIOLATES  
9 SUBSECTION (B) OF THIS SECTION is guilty of a misdemeanor and ON CONVICTION is  
10 subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

11 (2) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS  
12 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT  
13 NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.