

SENATE BILL 473

E2

0lr2645

By: **Senator Stone**

Introduced and read first time: February 1, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Indecent Exposure – Offender Registration**

3 FOR the purpose of altering the definition of offender for purposes of provisions
4 relating to a certain offender registry to include a person who is ordered by a
5 court to register and who has been convicted of the offense of indecent exposure
6 if the offense occurred in the presence of an individual under a certain age; and
7 generally relating to indecent exposure and certain offender registration.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 11–701(h)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Criminal Law
15 Section 11–107
16 Annotated Code of Maryland
17 (2002 Volume and 2009 Supplement)

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

20 **Article – Criminal Procedure**

21 11–701.

22 (h) “Offender” means a person who is ordered by a court to register under
23 this subtitle and who:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) has been convicted of violating § 3–503 of the Criminal Law
2 Article;

3 (2) has been convicted of violating § 3–502 of the Criminal Law Article
4 or the fourth degree sexual offense statute under § 3–308 of the Criminal Law Article,
5 if the victim is under the age of 18 years;

6 (3) has been convicted of the common law crime of false imprisonment,
7 if the victim is under the age of 18 years and the person is not the victim’s parent;

8 (4) has been convicted of a crime that involves soliciting a person
9 under the age of 18 years to engage in sexual conduct;

10 (5) has been convicted of violating the child pornography statute
11 under § 11–207 of the Criminal Law Article;

12 (6) has been convicted of violating any of the prostitution and related
13 crimes statutes under Title 11, Subtitle 3 of the Criminal Law Article if the intended
14 prostitute or victim is under the age of 18 years;

15 (7) has been convicted of a crime that involves conduct that by its
16 nature is a sexual offense against a person under the age of 18 years;

17 (8) **HAS BEEN CONVICTED OF THE COMMON LAW OFFENSE OF**
18 **INDECENT EXPOSURE, IF THE OFFENSE OCCURRED IN THE PRESENCE OF AN**
19 **INDIVIDUAL UNDER THE AGE OF 18 YEARS;**

20 (9) has been convicted of an attempt to commit a crime listed in items
21 (1) through [(7)] (8) of this subsection; or

22 [(9)] (10) has been convicted in another state or in a federal, military,
23 or Native American tribal court of a crime that, if committed in this State, would
24 constitute one of the crimes listed in items (1) through [(8)] (9) of this subsection.

25 **Article – Criminal Law**

26 11–107.

27 A person convicted of indecent exposure is guilty of a misdemeanor and is
28 subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2010.