

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 64

S.P. 34

In Senate, January 17, 1995

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### An Act to Amend the Laws Governing Indecency.

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Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator LAWRENCE of York.  
Cosponsored by Representative LEMONT of Kittery and  
Representatives: OTT of York, REED of Dexter.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 17-A MRSA §854**, as amended by PL 1989, c. 401, Pt. B,  
§§6 and 7, is further amended to read:

6 **§854. Indecent conduct**

8 1. A person is guilty of ~~public indecency~~ indecent conduct  
10 if:

12 A. In a public place:

14 (1) The actor engages in a sexual act, as defined in  
section 251; or

16 (2) The actor knowingly exposes the actor's genitals  
18 under circumstances ~~which~~ that, in fact, are likely to  
cause affront or alarm; ~~or~~

20 B. In a private place, the actor exposes the actor's  
22 genitals with the intention that the actor be seen from a  
public place or from another private place; or

24 C. For the purpose of arousing or gratifying sexual desire  
26 or for the purpose of causing affront or alarm, the actor,  
28 having in fact attained the age of 18 years, in a public or  
30 private place exposes the actor's genitals to another person  
or causes the other person to expose that person's genitals  
to the actor and the other person, not the actor's spouse,  
has not in fact attained the age of 14 years.

32 2. For purposes of this section "public place" includes,  
34 but is not limited to, motor vehicles ~~which~~ that are on a public  
way.

36 3. ~~Public indecency~~ Indecent conduct is a Class E crime,  
38 except that a violation of subsection 1, paragraph C is a Class D  
crime.

40  
42 **STATEMENT OF FACT**

44 This bill changes the crime of public indecency to indecent  
46 conduct. The bill specifically prohibits exposure of the  
48 genitals by an adult to a child and exposure of the genitals by a  
child to an adult when such exposure is caused by the adult for  
the purpose of arousing or gratifying sexual desire or for the  
purpose of causing affront or alarm.  
50