



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 179

H.P. 131

House of Representatives, January 20, 1995

An Act to Prohibit Private Indecency.

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

OSEPH W. MAYO, Clerk

Presented by Representative REED of Dexter.

Cosponsored by Representatives: BAILEY of Township 27, BIRNEY of Paris, CAMERON of Rumford, CAMPBELL of Holden, CLARK of Millinocket, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DiPIETRO of South Portland, DONNELLY of Presque Isle, FARNUM of South Berwick, GOULD of Greenville, JOY of Crystal, LANE of Enfield, LEMONT of Kittery, LIBBY of Kennebunk, LUMBRA of Bangor, MARSHALL of Eliot, McELROY of Unity, MORRISON of Bangor, MURPHY of Berwick, OTT of York, PLOWMAN of Hampden, SAXL of Bangor, STEDMAN of Hartland, TUFTS of Stockton Springs, VIGUE of Winslow, WINN of Glenburn, Senators: HALL of Piscataquis, HANLEY of Oxford, LAWRENCE of York, LORD of York.

	Be it enacted by the People of the State of Maine as follows:
2 4	Sec. 1. 17-A MRSA §854, as amended by PL 1989, c. 401, Pt. B, \S and 7, is further amended to read:
6	§854. Indecent conduct
8 10	 A person is guilty of public-indecency indecent conduct if:
10	A. In a public place:
14	(1) The actor engages in a sexual act, as defined in section 251; or
16 18	(2) The actor knowingly exposes the actor's genitals under circumstances which, in fact, are likely to cause affront or alarm; er
20 22	B. In a private place, the actor exposes the actor's genitals with the intention that the actor be seen from a public place or from another private place.; or
24 26	C. In a private place, the actor exposes the actor's genitals with the intention that the actor be seen by another person under circumstances which the actor knows are likely to cause affront or alarm.
28	
30	2. For purposes of this section "public place" includes, but is not limited to, motor vehicles which that are on a public way.
32	
34	3. Public-indecency <u>Indecent conduct</u> is a Class E crime.
36	STATEMENT OF FACT
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40	Under the current public indecency statute, the exposure by a person of the person's genitals to another person in the same private place is not illegal, even if the actor knows that the
42	act will cause affront or alarm. This bill amends the current law to prohibit that act, if the actor knows that the act will
44	cause affront or alarm to another person located in the same
46	private place.

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