

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO**

**House Bill NO. 722**

**By Senator(s) King**

**AMEND by inserting after line 16 the following:**

SECTION \*. (1) A person commits public indecency who, knowingly or intentionally, in a public place:

- (a) Engages in sexual intercourse;
- (b) Engages in deviate sexual conduct;
- (c) Appears in a state of nudity; or
- (d) Fondles the person's genitals or the genitals of another person.

(2) For purposes of this section, "nudity" shall have the same meaning as defined in Section 19-5-103.

(3) A person commits indecent exposure who, in a place other than a public place, where the person can be seen by persons other than invitees and occupants of that place, and with the intent to be seen by persons other than invitees and occupants of that place:

- (a) Engages in sexual intercourse;
- (b) Engages in deviate sexual conduct; or
- (c) Fondles the person's genitals or the genitals of another person.

(4) A person who violates subsection (1) of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment not to exceed one (1) year, or fine not to exceed Two Thousand Dollars (\$2,000.00), or both. A person who

violates subsection (3) of this section shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed six (6) months, or fine not to exceed One Thousand Dollars (\$1,000.00), or both.

**FURTHER AMEND the title on line 3 by inserting after the 2nd semicolon the following:**

TO PROHIBIT CERTAIN INDECENT ACTS; TO ENACT DEFINITIONS; TO PRESCRIBE PUNISHMENT FOR VIOLATIONS;