

By: Representative Zuber

To: Judiciary B

HOUSE BILL NO. 26

1 AN ACT TO AMEND SECTION 97-29-31, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE PENALTIES FOR INDECENT EXPOSURE; AND FOR RELATED
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 97-29-31, Mississippi Code of 1972, is
6 amended as follows:

7 97-29-31. A person who willfully and lewdly exposes his
8 person, or private parts thereof, in any public place, or in any
9 place where others are present, or procures another to so expose
10 himself, is guilty of a misdemeanor and, on conviction for a first
11 offense, shall be punished by a fine not exceeding Five Hundred
12 Dollars (\$500.00) or be imprisoned not exceeding six (6) months,
13 or both. Upon conviction for a second offense, such person shall
14 be guilty of a misdemeanor and shall be punished by a fine of not
15 less than Six Hundred Dollars (\$600.00) nor more than One Thousand
16 Dollars (\$1,000.00) or shall be imprisoned not exceeding one (1)
17 year, or both. Upon conviction of a third or subsequent offense,
18 such person shall be guilty of a felony and shall be punished not
19 less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more
20 than Five Thousand Dollars (\$5,000.00) and shall be imprisoned for
21 not less than one (1) year nor more than five (5) years in the
22 State Penitentiary.

23 **SECTION 2.** This act shall take effect and be in force from
24 and after July 1, 2005.