

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1489

Short Title: Indecent Exposure/Increase Penalty. (Public)

Sponsors: Representatives Johnson; Capps, Folwell, Justice, Justus, McGee, Pate, Ray, Starnes, and Vinson.

Referred to: Judiciary III.

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR INDECENT EXPOSURE IF THE OFFENSE IS COMMITTED IN THE PRESENCE OF A MINOR OF THE OPPOSITE SEX WHO IS LESS THAN THIRTEEN YEARS OLD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-190.9(a) reads as rewritten:

"§ 14-190.9. Indecent exposure.

(a) Any person who shall willfully expose the private parts of his or her person in any public place and in the presence of any other person or persons, of the opposite sex, or aids or abets in any such act, or who procures another to perform such act; or any person, who as owner, manager, lessee, director, promoter or agent, or in any other capacity knowingly hires, leases or permits the land, building, or premises of which he is owner, lessee or tenant, or over which he has control, to be used for purposes of any such act, shall be guilty of a Class 2 ~~misdemeanor~~. misdemeanor, provided, however, that if the act of exposure occurs in the presence of any minor or minors of the opposite sex, under the age of 13 years, it shall be a Class 1 misdemeanor."

SECTION 2. This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.