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**Criminal Justice & Corrections  
Committee**

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**HB 1333**

**Brief Description:** Including municipal indecent exposure and lewd conduct convictions in the state indecent exposure felony determination.

**Sponsors:** Representatives O'Brien, Kirby, Darneille, Strow, Ahern and Campbell.

**Brief Summary of Bill**

- Expands the circumstances under which indecent exposure is a class C felony to include situations in which the perpetrator has been convicted of indecent exposure and the elements of the previous offense are identical to the elements of indecent exposure under state statute.

**Hearing Date:** 2/3/05

**Staff:** Yvonne Walker (786-7841).

**Background:**

A person is guilty of indecent exposure if he or she intentionally makes any open and obscene exposure of his or her person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm. The act of breastfeeding or expressing breast milk is not indecent exposure.

Indecent exposure is a misdemeanor unless:

- The person exposes himself or herself to a person under 14 years of age, in which case the crime is a gross misdemeanor; or
- The person has a previous conviction for indecent exposure or a sex offense, in which case the crime is a seriousness level of IV, class C felony.

**Summary of Bill:**

The circumstances under which indecent exposure is a class C felony are expanded. Indecent exposure is a class C felony when the person committing the crime has at any time or anywhere, been previously convicted of indecent exposure and the elements of the previous offense are identical to the elements of indecent exposure in Washington statute.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2005.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.