
HOUSE BILL 2645

State of Washington 58th Legislature 2004 Regular Session

By Representatives O'Brien, Lovick, Pearson, Delvin and Simpson, D.

Read first time 01/19/2004. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to municipal indecent exposure and lewd conduct
2 convictions; amending RCW 9A.88.010 and 9A.88.010; providing an
3 effective date; and providing an expiration date.

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

5 **Sec. 1.** RCW 9A.88.010 and 2001 c 88 s 2 are each amended to read
6 as follows:

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

12 (2) Indecent exposure is a misdemeanor unless such person exposes
13 himself or herself to a person under the age of fourteen years in which
14 case indecent exposure is a gross misdemeanor on the first offense and,
15 if such person has previously been convicted under this subsection
16 ~~((or))~~, of a sex offense as defined in RCW 9.94A.030, or any municipal
17 lewd conduct or indecent exposure ordinance, then such person is guilty
18 of a class C felony punishable under chapter 9A.20 RCW.

1 **Sec. 2.** RCW 9A.88.010 and 2003 c 53 s 92 are each amended to read
2 as follows:

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

8 (2)(a) Except as provided in (b) and (c) of this subsection,
9 indecent exposure is a misdemeanor.

10 (b) Indecent exposure is a gross misdemeanor on the first offense
11 if the person exposes himself or herself to a person under the age of
12 fourteen years.

13 (c) Indecent exposure is a class C felony if the person has
14 previously been convicted under this section (~~(or)~~) of a sex offense
15 as defined in RCW 9.94A.030, or any municipal lewd conduct or indecent
16 exposure ordinance.

17 NEW SECTION. **Sec. 3.** Section 1 of this act expires July 1, 2004.

18 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect July 1,
19 2004.

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