



**House  
Legislative  
Analysis  
Section**

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**ELIMINATE CRIMINAL  
PROHIBITION AGAINST  
BREAST-FEEDING**

**House Bill 4519**

**Sponsor: Rep. Laura Baird**

**Committee: Judiciary and Civil Rights**

**Complete to 8-9-95**

**A SUMMARY OF HOUSE BILL 4519 AS INTRODUCED 3-2-95**

The bill would amend the Michigan Penal Code to specifically exclude the breast-feeding of an infant child in public or private from the code's prohibition against indecent exposure. Further, it would modify the provisions regarding the crime of indecent exposure.

Current law makes it a misdemeanor for an individual to knowingly make an open or indecent exposure of his or her person or the person of another. The crime is punishable by up to one year in prison or by a fine of up to \$500. If the indecent exposure is made by a "sexually delinquent person," the offense is punishable by imprisonment for no less than one day and no more than life. The bill would make indecent exposure by a "sexually delinquent person" a felony; the term of imprisonment would remain unchanged. A "sexually delinquent person" is defined in section 10a of the code as "any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16."

The bill would preempt a local ordinance prohibiting indecent exposure unless it substantially conformed to the state statute. Furthermore, the bill would specify that a municipal court would not have jurisdiction over a violation of the code or of a substantially similar local ordinance.

**MCL 750.335a**

**House Bill 4519 (8-9-95)**