

SUBSTITUTE FOR
HOUSE BILL NO. 4597

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 335a (MCL 750.335a), as amended by 2002 PA 672.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 335a. (1) ~~Any~~ A person ~~who~~ shall **NOT** knowingly make
2 any open or indecent exposure of his or her person or of the person
3 of another.

4 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A CRIME,
5 AS FOLLOWS:

6 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B) OR (C), THE PERSON
7 is guilty of a misdemeanor ~~—~~ punishable by imprisonment for not
8 more than 1 year, or ~~by~~ a fine of not more than \$1,000.00, or ~~if~~

1 ~~such~~ BOTH.

2 (B) IF THE PERSON WAS FONDLING HIS OR HER GENITALS, PUBIC
3 AREA, BUTTOCKS, OR, IF THE PERSON IS FEMALE, BREASTS, WHILE
4 VIOLATING SUBSECTION (1), THE PERSON IS GUILTY OF A MISDEMEANOR
5 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF
6 NOT MORE THAN \$2,000.00, OR BOTH.

7 (C) IF THE person was at the time of the ~~said offense~~
8 VIOLATION a sexually delinquent person, ~~may be~~ THE VIOLATION IS
9 punishable by imprisonment for an indeterminate term, the minimum
10 of which ~~shall be~~ IS 1 day and the maximum of which ~~shall be~~ IS
11 life. ~~∴ Provided, That any other provision of any other statute~~
12 ~~notwithstanding, said offense shall be triable only in a court of~~
13 ~~record.~~

14 Enacting section 1. This amendatory act takes effect
15 September 1, 2005.