

SENATE 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~~  
9 ~~such~~ **BOTH.**

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

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

13 Enacting section 1. This amendatory act takes effect February  
14 1, 2006.