

# HOUSE BILL No. 4597

April 13, 2005, Introduced by Rep. Mortimer and referred to the Committee on Judiciary.

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 any  
2 open or indecent exposure of his or her person or of the person of  
3 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,~~ 93 DAYS or ~~by~~ a fine of not more than  
9 \$1,000.00, or ~~if such~~ BOTH.

1           (B) IF THE PERSON WAS ENGAGING IN A LEWD AND LASCIVIOUS ACT  
2 WHILE VIOLATING SUBSECTION (1), THE PERSON IS GUILTY OF A  
3 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR  
4 A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

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