

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.335a Indecent exposure; violation; penalty; mother's breastfeeding or expressing milk exempt.

Sec. 335a. (1) A person shall not knowingly make any open or indecent exposure of his or her person or of the person of another.

(2) A person who violates subsection (1) is guilty of a crime, as follows:

(a) Except as provided in subdivision (b) or (c), the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$1,000.00, or both.

(b) If the person was fondling his or her genitals, pubic area, buttocks, or, if the person is female, breasts, while violating subsection (1), the person is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.

(c) If the person was at the time of the violation a sexually delinquent person, the violation is punishable by imprisonment for an indeterminate term, the minimum of which is 1 day and the maximum of which is life.

(3) A mother's breastfeeding of a child or expressing breast milk does not constitute indecent or obscene conduct under subsection (1) regardless of whether or not her areola or nipple is visible during or incidental to the breastfeeding or expressing of breast milk.

History: Add. 1952, Act 73, Eff. Sept. 18, 1952;—Am. 2002, Act 672, Eff. Mar. 31, 2003;—Am. 2005, Act 300, Eff. Feb. 1, 2006;—Am. 2014, Act 198, Imd. Eff. June 24, 2014.