

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1905

By: Representative Gonzales
By: Senator B. Ballinger

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSE OF INDECENT EXPOSURE;
AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE OFFENSE OF INDECENT
EXPOSURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-14-112 is amended to read as follows:
5-14-112. Indecent exposure.

(a) A person commits indecent exposure if ~~+~~:

~~(1)~~ With the purpose to arouse or gratify a sexual desire of himself or herself or of any other person, the person exposes his or her sex organs:

~~(1)(A)~~ In a public place or in public view; or

~~(2)(B)~~ Under circumstances in which the person ~~knows~~ could reasonably believe the conduct is likely to cause affront or alarm~~+~~; or

~~(2)~~ The person knowingly exposes his or her sex organs to a person of the opposite biological sex:

~~(A)~~ In a public place or in public view; or

~~(B)~~ Under circumstances in which the person could reasonably believe the conduct is likely to cause affront or alarm.

(b)(1) Except as provided in subdivisions (b)(2) and ~~(b)(3)~~ of this section, indecent exposure is a Class A misdemeanor.

(2) For a fourth or fifth conviction within ten (10) years of a



previous conviction, indecent exposure is a Class D felony.

(3) For a sixth conviction and each successive conviction within ten (10) years of a previous conviction, indecent exposure is a Class C felony.

(c) A woman is not in violation of this section for breastfeeding a child in a public place or any place where other individuals are present.