

2008 SESSION

INTRODUCED

080305412

HOUSE BILL NO. 491

Offered January 9, 2008

Prefiled January 7, 2008

A *BILL to amend and reenact § 18.2-387 of the Code of Virginia, relating to elements of indecent exposure; penalty.*

Patrons—Amundson, Albo and Scott, J.M.; Senators: Puller and Saslaw

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-387 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-387. Indecent exposure.

~~Every~~Any person who (i) intentionally makes an obscene display or exposure of his person, or the private parts thereof, in (a) any public place, or in (b) any place where others are present ~~may see him, intending that he be seen by others,~~ or (ii) procures another to so expose himself, ~~shall be~~ is guilty of a Class 1 misdemeanor. No person shall be deemed to be in violation of this section for breastfeeding a child in any public place or any place where others are present.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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