

**SENATE BILL NO. 1016**

March 17, 1998, Introduced by Senator YOUNG and referred  
to the Committee on Families, Mental Health and Human  
Services.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 335a (MCL 750.335a).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 335a. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2),  
2 A person who ~~shall~~ knowingly ~~make any~~ MAKES AN open or inde-  
3 cent exposure of his or her person or ~~of~~ the person of another  
4 ~~shall be~~ IS guilty of a misdemeanor ~~,~~ punishable by imprison-  
5 ment ~~in the county jail~~ for not more than 1 year ~~,~~ or ~~by~~ a  
6 fine of not more than \$500.00, or ~~if such person was at the time~~  
7 ~~of the said offense a~~ BOTH.  
8       (2) A sexually delinquent person ~~,~~ ~~may be punishable~~ WHO  
9 VIOLATES SUBSECTION (1) IS GUILTY OF A FELONY AND SHALL BE  
10 PUNISHED by imprisonment ~~in the state prison for an~~  
11 ~~indeterminate term, the minimum of which shall be 1 day and the~~

~~1 maximum of which shall be life: Provided, That any other~~  
~~2 provision of any other statute notwithstanding, said offense~~  
~~3 shall be triable only in a court of record~~ FOR NOT LESS THAN 1  
4 DAY OR MORE THAN LIFE.

5 (3) THIS SECTION DOES NOT APPLY TO BREASTFEEDING AN INFANT  
6 CHILD IN PUBLIC OR IN PRIVATE.

7 (4) A LOCAL UNIT OF GOVERNMENT SHALL NOT ENACT OR ENFORCE A  
8 LOCAL ORDINANCE PROHIBITING CONDUCT DESCRIBED IN SUBSECTION (1)  
9 UNLESS THAT LOCAL ORDINANCE CONTAINS THE SUBSTANCE OF SUBSECTION  
10 (3).