

HOUSE BILL No. 2384

By Committee on Corrections and Juvenile Justice

2-9

9 AN ACT concerning crimes and punishment; relating to lewd and las-
10 scivious behavior; amending K.S.A. 2004 Supp. 21-3508 and repealing
11 the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2004 Supp. 21-3508 is hereby amended to read as
15 follows: 21-3508. (a) Lewd and lascivious behavior is:

16 (1) Publicly engaging in otherwise lawful sexual intercourse or sod-
17 omy with knowledge or reasonable anticipation that the participants are
18 being viewed by others; ~~or~~

19 (2) publicly exposing a sex organ or exposing a sex organ in the pres-
20 ence of a person who is not the spouse of the offender and who has not
21 consented thereto, with intent to arouse or gratify the sexual desires of
22 the offender or another; *or*

23 (3) *publicly engaging in otherwise lawful sexual intercourse or sod-*
24 *omy in a public restroom.*

25 (b) (1) Lewd and lascivious behavior if committed in the presence of
26 a person 16 or more years of age is a class B nonperson misdemeanor.

27 (2) Lewd and lascivious behavior if committed in the presence of a
28 person under 16 years of age is a severity level 9, person felony.

29 Sec. 2. K.S.A. 2004 Supp. 21-3508 is hereby repealed.

30 Sec. 3. This act shall take effect and be in force from and after its
31 publication in the statute book.