

1 AN ACT relating to indecent exposure.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 510 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) A person is guilty of aggravated indecent exposure when he or she intentionally*
6 *exposes his or her genitals for his or her sexual gratification to a person under*
7 *the age of eighteen (18) years.*

8 *(2) Aggravated indecent exposure is a:*

9 *(a) Class A misdemeanor for the first offense; and*

10 *(b) Class D felony for the second or subsequent offense.*

11 ➔Section 2. KRS 194A.380 is amended to read as follows:

12 As used in KRS 194A.380 to 194A.383:

13 (1) "Criminal offense against a minor" means a conviction or a plea of guilty to any of
14 the following offenses if the victim is under the age of eighteen (18) at the time of
15 the commission of the offense:

16 (a) Kidnapping, as in KRS 509.040, except by a parent;

17 (b) Unlawful imprisonment, as in KRS 509.020, except by a parent;

18 (c) Sexual misconduct as in KRS 510.140;

19 (d) Use of a minor in a sexual performance, as in KRS 531.310;

20 (e) Promoting a sexual performance of a minor, as in KRS 531.320;

21 (f) Possession or viewing matter portraying a sexual performance by a minor, as
22 in KRS 531.335;

23 (g) Distribution of matter portraying a sexual performance by a minor, as in KRS
24 531.340;

25 (h) Promoting the sale of material portraying a sexual performance by a minor, as
26 in KRS 531.350;

27 (i) Advertising material portraying a sexual performance by a minor, as in KRS

- 1 531.360;
- 2 (j) Using minors to distribute material portraying a sexual performance by a
- 3 minor, as in KRS 531.370;
- 4 (k) Human trafficking involving commercial sexual activity, as in KRS 529.100;
- 5 (l) Promoting prostitution, as in KRS 529.040, when the defendant advances or
- 6 profits from the prostitution of a person under the age of eighteen (18);
- 7 (m) Unlawful transaction with a minor in the first degree, as in KRS
- 8 530.064(1)(a);
- 9 (n) Any attempt to commit any of the offenses described in paragraphs (a) to (m)
- 10 of this subsection; or
- 11 (o) Solicitation to commit any of the offenses described in paragraphs (a) to (m)
- 12 of this subsection;
- 13 (2) "Sex crime" means a conviction or a plea of guilty to any of the following offenses:
- 14 (a) Rape in the first degree as in KRS 510.040;
- 15 (b) Rape in the second degree as in KRS 510.050;
- 16 (c) Rape in the third degree as in KRS 510.060;
- 17 (d) Sodomy in the first degree as in KRS 510.070;
- 18 (e) Sodomy in the second degree as in KRS 510.080;
- 19 (f) Sodomy in the third degree as in KRS 510.090;
- 20 (g) Sodomy in the fourth degree as in KRS 510.100;
- 21 (h) Sexual abuse in the first degree as in KRS 510.110;
- 22 (i) Sexual abuse in the second degree as in KRS 510.120;
- 23 (j) Sexual abuse in the third degree as in KRS 510.130;
- 24 (k) **Aggravated indecent exposure as in Section 1 of this Act;**
- 25 **(l)** Indecent exposure in the first degree as in KRS 510.148;
- 26 **(m)**~~(l)~~ Indecent exposure in the second degree as in KRS 510.150;
- 27 **(n)**~~(m)~~ Unlawful use of electronic means originating or received within the

1 Commonwealth to induce a minor to engage in sexual or other prohibited
2 activities as in KRS 510.155; or

3 ~~(o)~~~~(n)~~ Incest as in KRS 530.020;

4 (3) "Violent offender" means any person who has been convicted of or who has entered
5 a plea of guilty to the commission of a capital offense, Class A felony, Class B
6 felony involving the death of the victim or serious physical injury to the victim, or
7 rape in the first degree, or sodomy in the first degree; and

8 (4) "Youth camp" or "camp" means:

9 (a) Any camp required pursuant to KRS 211.180 to obtain a permit to operate;
10 and

11 (b) Any program offered, whether free or for a fee, for recreational, educational,
12 sports training, or vacation purposes to children under eighteen (18) years of
13 age that a child attends outside the presence of his or her parent or legal
14 guardian.