

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 186

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO INDECENT EXPOSURE; AMENDING SECTION 18-4116, IDAHO CODE, TO REVISE PROVISIONS REGARDING INDECENT EXPOSURE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-4116, Idaho Code, be, and the same is hereby amended to read as follows:

18-4116. INDECENT EXPOSURE. (1) Every A person is guilty of a misdemeanor if the person who willfully and lewdly, either:

(1) (a) Exposes his or her genitals; exposes developed female breasts, including the areola and nipple; exposes adult male breasts, including the areola and nipple, that have been medically or hormonally altered to appear like developing or developed female breasts; exposes artificial breasts, including the areola and nipple, intended to resemble female breasts; or displays toys or products intended to resemble male or female genitals in any public place, or in any place where there is present another person or persons who are offended or annoyed thereby; or

(2) (b) Procures, counsels, or assists any person so to expose his or her genitals; to expose developed female breasts, including the areola and nipple; to expose adult male breasts, including the areola and nipple, that have been medically or hormonally altered to appear like developing or developed female breasts; to expose artificial breasts, including the areola and nipple, intended to resemble female breasts; or to display toys or products intended to resemble male or female genitals where there is present another person or persons who are offended or annoyed thereby is guilty of a misdemeanor.

(2) Any person who pleads guilty to or is found guilty of a violation of subsection (1) or (2) of this section or a similar statute in another state or any local jurisdiction for a second third time within five (5) years, notwithstanding the form of the judgment(s) or withheld judgment(s), is guilty of a felony and shall may be imprisoned in the state prison for a period not to exceed ten (10) five (5) years.

(3) The provisions of this section shall not apply to the breastfeeding of a child or the expression of breast milk for the purpose of feeding a child.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.