
HOUSE BILL 2088

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kraft, Mosbrucker, Klippert, Van Werven, and Young

1 AN ACT Relating to the crime of indecent exposure; and amending
2 RCW 9A.88.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.88.010 and 2003 c 53 s 92 are each amended to
5 read as follows:

6 (1) A person is guilty of indecent exposure if he or she:

7 (a) Intentionally makes any open and obscene exposure of his or
8 her person or the person of another knowing that such conduct is
9 likely to cause reasonable affront or alarm; or

10 (b)(i) Is a biological male and intentionally makes any open and
11 obscene exposure of his person in a restroom facility that is
12 designated for use by women; or

13 (ii) Is a biological female and intentionally makes any open and
14 obscene exposure of her person in a restroom facility that is
15 designated for use by men.

16 (2) The act of breastfeeding or expressing breast milk is not
17 indecent exposure.

18 ~~((+2))~~ (3)(a) Except as provided in (b) and (c) of this
19 subsection, indecent exposure is a misdemeanor.

1 (b) Indecent exposure is a gross misdemeanor on the first offense
2 if the person exposes himself or herself to a person under the age of
3 fourteen years.

4 (c) Indecent exposure is a class C felony if the person has
5 previously been convicted under this section or of a sex offense as
6 defined in RCW 9.94A.030.

7 (4) For purposes of this section, "restroom facility" includes
8 any area in a public or private facility that is for toilet use,
9 showering, dressing, or other personal sanitary functions, and is
10 designated for use by a single sex or gender.

--- END ---