

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 401
Annapolis, Maryland 21401
410-841-3673 • 301-858-3673
800-492-7122 Ext. 3673
Jack.Bailey@senate.state.md.us

District Office
Dorsey Professional Park
23680 Three Notch Road, Unit 101
Hollywood, Maryland 20636
240-309-4238

January 25, 2024

Senate Bill 130 – Criminal Law – Indecent Exposure Within the Presence of a Minor

Dear Chairman Smith and Members of the Committee,

I am writing to introduce Senate Bill 130. This bill will provide for enhanced penalties for indecent exposure in cases where this act is done in the presence of a minor.

Under current law, all cases of indecent exposure are subject to a maximum penalty of three years in prison and a \$1,000 fine. Senate Bill 130 increases those to up to five years in prison and a fine of up to \$10,000 specifically when an offender commits indecent exposure with prurient intent when a person knows or reasonably should know that a minor who is at least two years old is present and where the victim is more than four years younger than the offender.

Senate Bill 130 is narrowly written to ensure that we are only capturing those who would commit this crime with the intent to cause harm to a child. At least 15 other states have enhanced penalties for indecent exposure against or within the sight of a minor. Maryland law already recognizes the importance of this issue and provides judges the option to require perpetrators to register as sex offenders if they commit indecent exposure against a minor as a deterrent.

This bill also does not require any new minimum sentences, and only gives judges the discretion to apply these higher penalties to offenders. I know that this Committee recognizes the importance of protecting our minors from sexual offenders such as those who would meet the specifications outlined in this bill.

Senate Bill 130 identical to Senate Bill 208 as amended by this Committee last year and as passed unanimously by the Senate. Identical House legislation passed in the Senate as well but did not receive a final vote in the House before the end of the session. I respectfully request a favorable report on Senate Bill 130. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey