

underscored material = new
[bracketed material] = delete

SENATE BILL 245

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO SEXUAL OFFENSES; CREATING THE CRIME OF INDECENT
EXPOSURE TO A CHILD OUT OF PUBLIC VIEW; PROVIDING A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 30, Article 9 NMSA
1978 is enacted to read:

"[NEW MATERIAL] INDECENT EXPOSURE TO A CHILD OUT OF PUBLIC
VIEW--PENALTY.--

A. Indecent exposure to a child out of public view
consists of a person eighteen years of age or older knowingly
and intentionally exposing the person's primary genital area to
a child in a lewd and lascivious manner, when the person and
child are in a nonpublic place.

B. Whoever commits indecent exposure to a child out
of public view is guilty of a fourth degree felony.

.232820.1

C. As used in this section:

(1) "child" means a person under eighteen years of age; and

(2) "primary genital area" means the mons pubis, penis, testicles, mons veneris, vulva or vagina."

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