

CHAPTER 366

CRIMINAL LAW AND PROCEDURE

SENATE BILL 08-235

BY SENATOR(S) Bacon;
also REPRESENTATIVE(S) Kerr A., and Casso.**AN ACT****CONCERNING ADDING THE ACT OF MASTURBATION IN PUBLIC TO THE OFFENSE OF PUBLIC INDECENCY.***Be it enacted by the General Assembly of the State of Colorado:*

SECTION 1. 18-7-301 (1) (d), Colorado Revised Statutes, is amended, and the said 18-7-301 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

18-7-301. Public indecency. (1) Any person who performs any of the following in a public place or where the conduct may reasonably be expected to be viewed by members of the public commits public indecency:

(d) A lewd fondling or caress of the body of another person; OR

(e) AN ACT OF MASTURBATION.

SECTION 2. 18-7-301, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

18-7-301. Public indecency. (3) FOR PURPOSES OF THIS SECTION, "MASTURBATION" MEANS THE REAL OR SIMULATED TOUCHING, RUBBING, OR OTHERWISE STIMULATING OF A PERSON'S OWN GENITALS OR PUBIC AREA FOR THE PURPOSE OF SEXUAL GRATIFICATION OR AROUSAL OF THE PERSON, REGARDLESS OF WHETHER THE GENITALS OR PUBIC AREA IS EXPOSED OR COVERED.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 2008, and shall apply to offenses committed on or after said date.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 2, 2008