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HOUSE BILL 451

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Linda Serrato and John Block

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. As used in this section:

(1) "child" means a person under eighteen

underscoring material = new
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underscoring material = new
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1 years of age; and

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

4 C. Whoever commits indecent exposure to a child out
5 of public view is guilty of a misdemeanor.

6 D. This section is retroactive and applies to all
7 actions not currently pending based on indecent exposure to a
8 child out of public view, regardless of the date of the
9 exposure and regardless of whether any statute of limitations
10 on such actions expired prior to the effective date of this
11 2025 act."