

## 2012 Kansas Statutes

**21-5513. Lewd and lascivious behavior.** (a) Lewd and lascivious behavior is:

- (1) Publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or
- (2) publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender and who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another.

(b) Lewd and lascivious behavior is a:

- (1) Class B nonperson misdemeanor, if committed in the presence of a person 16 or more years of age; and
- (2) severity level 9, person felony, if committed in the presence of a person under 16 years of age.

**History:** L. 2010, ch. 136, § 77; July 1, 2011.