



H.B. 572

124th General Assembly
(As Introduced)

Reps. Damschroder, Allen, Aslanides, Beatty, Brinkman, Britton, Buehrer, Calvert, Carmichael, Cates, Collier, DeBose, Evans, Fedor, Gilb, Hagan, Hartnett, Hoops, Jerse, Key, Latta, Lendrum, Manning, McGregor, Metzger, Olman, Perry, Redfern, Reidelbach, Reinhard, Roman, Schaffer, Seaver, Seitz, Setzer, White

BILL SUMMARY

- Expands the offense of voyeurism to additionally prohibit a person, for the purpose of viewing the body of another person, from secretly or surreptitiously videotaping, filming, photographing, or otherwise recording another person when the other person is in a private place and has a reasonable expectation of privacy.

CONTENT AND OPERATION

Operation of the bill

The bill expands the offense of voyeurism to additionally prohibit a person, for the purpose of viewing the body of another person, from secretly or surreptitiously videotaping, filming, photographing, or otherwise recording another person when the other person is in a private place and has a reasonable expectation of privacy. A person who violates this prohibition is guilty of voyeurism and is guilty of a felony of the fourth degree. (R.C. 2907.08(F) and (G)(6).)

Existing law

The existing offense of voyeurism contains five prohibitions:

(1) The first prohibition prohibits a person, for the purpose of sexually arousing or gratifying the person's self, from committing trespass or otherwise

surreptitiously invading the privacy of another, to spy or eavesdrop upon another. A violation of this prohibition is a misdemeanor of the third degree. (R.C. 2907.08(A) and (F)(2).)

(2) The second prohibition prohibits a person, for the purpose of sexually arousing or gratifying the person's self, from committing trespass or otherwise surreptitiously invading the privacy of another to photograph the other person in a state of nudity. A violation of this prohibition is a misdemeanor of the second degree. (R.C. 2907.08(B) and (F)(3).)

(3) The third prohibition prohibits a person, for the purpose of sexually arousing or gratifying the person's self, from committing trespass or otherwise surreptitiously invading the privacy of another to photograph the other person in a state of nudity if the other person is a minor. A violation of this prohibition is a misdemeanor of the first degree. (R.C. 2907.08(C) and (F)(4).)

(4) The fourth prohibition prohibits a person, for the purpose of sexually arousing or gratifying the person's self, from committing trespass or otherwise surreptitiously invading the privacy of another to photograph the other person in a state of nudity if the other person is a minor and any of the following applies: (a) the offender is the minor's natural or adoptive parent, stepparent, guardian, or custodian, or person in loco parentis of the minor, (b) the minor is in custody of law or is a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the minor, (c) the offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the State Board of Education prescribes minimum standards, the minor is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school, (d) the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the minor is enrolled in or attends that institution, (e) the offender is a caregiver, administrator, or other person in authority employed by or serving in a child day-care center, type A family day-care home, or type B family day-care home, and the minor is enrolled in or attends that center or home, or (f) the offender is the minor's athletic or other type of coach, is the minor's instructor, is the leader of a scouting troop of which the minor is a member, provides babysitting care for the minor, or is a person with temporary or occasional disciplinary control over the minor. A violation of this prohibition is a felony of the fifth degree. (R.C. 2907.08(D) and (F)(5).)

(5) The fifth prohibition prohibits a person from secretly or surreptitiously videotaping, filming, photographing, or otherwise recording another person under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person. A violation of this prohibition is a misdemeanor of the first degree. (R.C. 2907.08(E) and (F)(4).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
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