

By Senator Aronberg

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A bill to be entitled
An act relating to the offense of voyeurism;
amending s. 810.145, F.S.; providing that it is
a third-degree felony to intentionally use or
install an imaging device to secretly view,
broadcast, or record a person younger than 16
years of age who is dressing, undressing, or
privately exposing his or her body and who has
a reasonable expectation of privacy; providing
criminal penalties; providing that it is a
felony of the second degree if a person
intentionally uses or installs an imaging
device to secretly view, broadcast, or record a
person younger than 16 years of age who is
dressing, undressing, or privately exposing his
or her body and he or she has a reasonable
expectation of privacy and the person viewing,
recording, or broadcasting has been previously
convicted or adjudicated delinquent for
committing video voyeurism; providing criminal
penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (6) of section 810.145, Florida
Statutes, is amended, and subsections (9) and (10) are added
to that section, to read:

810.145 Video voyeurism.--

(6) Except as provided in subsections ~~subsection~~ (7),
(9), and (10), a person who violates this section commits a

1 misdemeanor of the first degree, punishable as provided in s.
2 775.082 or s. 775.083.

3 (9) A person who, when violating this section,
4 secretly views, broadcasts, or records a person who is 16
5 years of age or younger, regardless of whether the person
6 knows or has reason to know the age of the person viewed,
7 broadcasted, or recorded, commits the offense of video
8 voyeurism with respect to a minor, a felony of the third
9 degree, punishable as provided in s. 775.082, s. 775.083, or
10 s. 775.084.

11 (10)(a) A person who violates subsection (9) and who
12 has been previously convicted or adjudicated delinquent of any
13 violation of this section commits a felony of the second
14 degree, punishable as provided in s. 775.082, s. 775.083, or
15 s. 775.084.

16 (b) For purposes of this section, a person has been
17 previously convicted or adjudicated delinquent of a violation
18 of this section if the violation resulted in a conviction
19 sentenced separately, or an adjudication of delinquency was
20 entered separately, prior to the current offense.

21 Section 2. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Provides that when a person intentionally uses or installs an imaging device to secretly view, broadcast, or record a person who is dressing, undressing, or privately exposing the body when that person has a reasonable expectation of privacy, and when that person is 16 years of age or younger, the observing person commits the offense of video voyeurism with respect to a minor, a felony of the third degree. Provides that it is a felony of the second degree if a person intentionally uses or installs an imaging device to secretly view, broadcast, or record a person younger than 16 years of age who is dressing, undressing, or privately exposing his or her body and the person viewing, recording, or broadcasting the person has been previously convicted or adjudicated delinquent for committing video voyeurism.