
HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 79 by Representative Mack

AMENDMENT NO. 1

On page 1, delete lines 9 through 20 in their entirety and insert the following:

"A. A person commits the crime of abuse of persons with infirmities through electronic means when all of the following occur:

(1) The person transfers an image that was obtained by any camera, videotape, photo-optical, photo-electric, unmanned aircraft system, or any other image recording device and that was obtained for the purpose of observing, viewing, photographing, filming, or videotaping any person with an infirmity.

(2) The person transfers the image by live or recorded telephone message, electronic mail, the internet, or a commercial online service.

(3) The person transfers the image with the malicious and willful intent to embarrass, shame, harass, coerce, abuse, torment, or intimidate, regardless of whether the victim has knowledge of the transfer.

B. For purposes of this Section, "person with an infirmity" means a person who suffers from a mental or physical disability, including those associated with advanced age, which renders the person incapable of adequately providing for his personal care. A person with an infirmity may include but is not limited to a person who is a resident of a nursing home, facility for persons with intellectual disabilities, mental health facility, hospital, or other residential facility or recipients of home and community-based care."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 3On page 2, at the beginning of line 3, change "B.(1)" to "C.(1)"AMENDMENT NO. 4On page 2, at the beginning of line 10, change "C." to "D."AMENDMENT NO. 5

On page 2, between lines 14 and 15, insert the following:

"E. The provisions of this Section shall not apply to any healthcare provider through its use of any of its cameras, videotape, photo-optical, photo-electric, unmanned aircraft system, or any other image recording device within the facility."

AMENDMENT NO. 6On page 2, at the beginning of line 15, change "D." to "F."

- 1 AMENDMENT NO. 7
- 2 On page 2, at the beginning of line 17, change "E." to "G."