

2016 Regular Session

HOUSE BILL NO. 635

BY REPRESENTATIVE HUNTER

CRIME: Adds the use of unmanned aircraft systems as elements of certain crimes involving the invasion of privacy

1 AN ACT

2 To amend and reenact R.S. 14:283(A)(1), 283.1(A), and 284(B) and to enact R.S.
3 14:283(G), 283.1(C), and 284(D), relative to crimes affecting public morals; to
4 amend crimes involving the observation and invasion of privacy of another to
5 include the use of unmanned aircraft systems; to define unmanned aircraft systems;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:283(A)(1), 283.1(A), and 284(B) are hereby amended and
9 reenacted and R.S. 14:283(G), 283.1(C), and 284(D) are hereby enacted to read as follows:

10 §283. Video voyeurism; penalties

11 A. Video voyeurism is:

12 (1) The use of any camera, videotape, photo-optical, photo-electric,
13 unmanned aircraft system, or any other image recording device for the purpose of
14 observing, viewing, photographing, filming, or videotaping a person where that
15 person has not consented to the observing, viewing, photographing, filming, or
16 videotaping and it is for a lewd or lascivious purpose; or

17 * * *

18 G. For purposes of this Section, "unmanned aircraft system" means an
19 unmanned, powered aircraft that does not carry a human operator, can be
20 autonomous or remotely piloted or operated, and can be expendable or recoverable.

1 §283.1. Voyeurism; penalties

2 A. Voyeurism is the viewing, observing, spying upon, or invading the
3 privacy of a person by looking or using an unmanned aircraft system to look through
4 the doors, windows, or other openings of a private residence without the consent of
5 the victim who has a reasonable expectation of privacy for the purpose of arousing
6 or gratifying the sexual desires of the offender.

7 * * *

8 C. For purposes of this Section, "unmanned aircraft system" means an
9 unmanned, powered aircraft that does not carry a human operator, can be
10 autonomous or remotely piloted or operated, and can be expendable or recoverable.

11 * * *

12 §284. Peeping Tom; penalties

13 * * *

14 B. "Peeping Tom" as used in this Section means one who peeps through
15 windows or doors, or other like places, situated on or about the premises of another
16 or uses an unmanned aircraft system for the purpose of spying upon or invading the
17 privacy of persons spied upon without the consent of the persons spied upon. It is
18 not a necessary element of this offense that the "Peeping Tom" be upon the premises
19 of the person being spied upon.

20 * * *

21 D. For purposes of this Section, "unmanned aircraft system" means an
22 unmanned, powered aircraft that does not carry a human operator, can be
23 autonomous or remotely piloted or operated, and can be expendable or recoverable.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 635 Original

2016 Regular Session

Hunter

Abstract: Amends crimes involving uninvited observation or invasion of privacy to include the use of drones.

Present law provides for the crimes of video voyeurism, voyeurism, and peeping Tom. All of the crimes involve the uninvited observation of another for lewd or lascivious purposes.

Proposed law retains the provisions of present law and includes the use of unmanned aircraft systems as an element of each crime.

Proposed law defines an "unmanned aircraft system" as an unmanned, powered aircraft that does not carry a human operator, can be autonomous or remotely piloted or operated, and can be expendable or recoverable.

(Amends R.S. 14:283(A)(1), 283.1(A), and 284(B); Adds R.S. 14:283(G), 283.1(C), and 284(D))