
DIGEST

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HB 612 Original

2018 Regular Session

Stokes

Abstract: Adds content element as grounds for the crime of video voyeurism, removes intent requirement from grounds for increased penalties for video voyeurism, and removes intent requirement from the crime of nonconsensual disclosure of a private image.

Present law provides that video voyeurism is the crime of using a camera or other image recording device to observe or photograph a person without their consent and with a lewd or lascivious purpose. Provides enhanced penalties when the observation or photography involves certain sexual acts or body parts.

Proposed law adds to the crime of video voyeurism the observation or photography of certain sexual acts or body parts without a lewd or lascivious intent.

Present law imposes increased penalties on a person who commits the crime of video voyeurism with the intent of arousing or gratifying the sexual desires of the offender and the subject is under the age of 17. Proposed law removes intent as a requirement for increased penalties when the victim is under the age of 17.

Present law provides that nonconsensual disclosure of a private image is a crime when a person intentionally discloses an image of another person's (the subject) intimate parts when the subject is identifiable in the image and is 17 or older. Requires that the subject understood the image was to remain private, and the person disclosing the image did so with intent to harass or cause emotional distress on the subject. Proposed law removes intent to harass or cause emotional distress from the crime of nonconsensual disclosure of a private image.

(Amends R.S. 14:283(A)(1) and (B)(4) and 283.2(A)(4))