
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

1 AMENDMENT NO. 1

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

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

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

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

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

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

23 AMENDMENT NO. 2

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

25 AMENDMENT NO. 3

26 On page 2, at the beginning of line 3, change "B.(1)" to "C.(1)"

27 AMENDMENT NO. 4

28 On page 2, at the beginning of line 10, change "C." to "D."

29 AMENDMENT NO. 5

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

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

35 AMENDMENT NO. 6

36 On 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."