

2018 Regular Session

HOUSE BILL NO. 612

BY REPRESENTATIVES STOKES, BACALA, BAGNERIS, CARPENTER, HAZEL,
HOWARD, MACK, MARCELLE, NORTON, PYLANT, AND STEFANSKI

CRIME: Provides relative to the observation or filming of a person and the disclosure of certain images of a person

1 AN ACT

2 To amend and reenact R.S. 14:283(A)(1) and 283.2(A)(4) and to repeal R.S. 14:283(G),
3 relative to offenses affecting public morals; to provide relative to the crimes of
4 video voyeurism and nonconsensual disclosure of a private image; to provide for
5 actions that constitute video voyeurism; to amend certain intent requirements for the
6 crime of nonconsensual disclosure of a private image; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:283(A)(1) and 283.2(A)(4) are hereby amended and reenacted to
10 read as follows:

11 §283. Video voyeurism; penalties

12 A. Video voyeurism is any of the following:

13 (1) The use of any camera, videotape, photo-optical, photo-electric,
14 ~~unmanned aircraft system~~, or any other image recording device for the purpose of
15 observing, viewing, photographing, filming, or videotaping a person where that
16 person has not consented to the specific instance of observing, viewing,
17 photographing, filming, or videotaping and either:

18 (a) ~~it~~ It is for a lewd or lascivious purpose.

or cause emotional distress to the subject, and the person who commits the offense knew or should have known that the disclosure could harass or cause emotional distress.

Proposed law amends present law to provide that the person committing the offense either had the intent to harass or cause emotional distress or knew or should have known that the disclosure could harass or cause emotional distress.

(Amends R.S. 14:283(A)(1) and 283.2(A)(4); Repeals R.S. 14:283(G))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove use of an unmanned aircraft system as an element of the offense and removes the definition of "unmanned aircraft system".
2. Restore present law which provides penalties for offenses which involve the observing, viewing, photographing, filming, or videotaping of any child under the age of 17 years.
3. Amends elements of the crime of nonconsensual disclosure of a private image to provide that the person committing the offense either had the intent to harass or cause emotional distress or knew or should have known that the disclosure could harass or cause emotional distress.