

GREEN SHEET REDIGEST

HB 612

2018 Regular Session

Stokes

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

DIGEST

Present law provides that video voyeurism is the crime of using a camera, videotape, photo-optical, photo-electric, unmanned aircraft system, 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, which occurs in a place where the subject of the image has a reasonable expectation of privacy.

(Amends R.S. 14:283(A)(1); Adds R.S. 14:283(H))

Summary of Amendments Adopted by House

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

1. Removes use of an unmanned aircraft system as an element of the offense and removes the definition of "unmanned aircraft system".
2. Restores 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.

The House Floor Amendments to the engrossed bill:

1. Provides an exception for any bona fide news or public interest broadcast, website, video, report, or event.
2. Provides that present and proposed law shall not affect the rights of any news-gathering organization.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the reengrossed bill

1. Adds use of "unmanned aircraft system" to elements of the crime of video voyeurism and provide definition of "unmanned aircraft system".
2. Deletes proposed law relative to crime of nonconsensual disclosure of a private image.