

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 612****2018 Regular Session****Stokes**

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

Synopsis of Senate Amendments

1. Reinstates use of an unmanned aircraft system as a present law element of the offense of video voyeurism and reinstates the present law definition of "unmanned aircraft system".
2. Removes changes to the crime of nonconsensual disclosure of a private image and reinstates present law which requires the person committing the offense to have the intent to harass or cause emotional distress and to have actual or constructive knowledge that the disclosure could harass or cause emotional distress.

Digest of Bill as Finally Passed by Senate

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.

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

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