

SENATE BILL No. 196

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-45-4-5.

Synopsis: Enhanced penalty for repeat voyeurs. Provides that a person who is convicted of voyeurism a second or subsequent time commits a Class D felony.

Effective: July 1, 2004.

Merritt

January 8, 2004, read first time and referred to Committee on Criminal, Civil and Public Policy.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

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SENATE BILL No. 196



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-45-4-5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. (a) A person:
 3 (1) who:
 4 (A) peeps; or
 5 (B) goes upon the land of another with the intent to peep;
 6 into an occupied dwelling of another person; or
 7 (2) who peeps into an area where an occupant of the area
 8 reasonably can be expected to disrobe, including:
 9 (A) restrooms;
 10 (B) baths;
 11 (C) showers; and
 12 (D) dressing rooms;
 13 without the consent of the other person, commits voyeurism, a Class B
 14 misdemeanor. However, the offense is a Class D felony if it is
 15 knowingly or intentionally committed by means of a camera, a video
 16 camera, or any other type of video recording device, **or if the person**
 17 **has a prior unrelated conviction for an offense under this section.**



1 (b) "Peep" means any looking of a clandestine, surreptitious, prying,
2 or secretive nature.

3 SECTION 2. [EFFECTIVE JULY 1, 2004] **The enhanced penalty**
4 **under IC 35-45-4-5, as amended by this act, applies only if at least**
5 **one (1) of the offenses is committed after June 30, 2004.**

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