



January 27, 2004

SENATE BILL No. 196

DIGEST OF SB 196 (Updated January 26, 2004 11:03 am - DI 106)

Citations Affected: IC 35-45; noncode.

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.
January 26, 2004, amended, reported favorably — Do Pass.

C
O
P
Y

SB 196—LS 6707/DI 47+



January 27, 2004

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.

C
O
P
Y

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**

SB 196—LS 6707/DI 47+



1 **or a prior unrelated conviction in another jurisdiction, including**
2 **a military court, that is substantially similar to the offense**
3 **described in this section.**

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

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

C
O
P
Y



COMMITTEE REPORT

Madam President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred Senate Bill No. 196, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 17, after "section" insert "**or a prior unrelated conviction in another jurisdiction, including a military court, that is substantially similar to the offense described in this section**".

and when so amended that said bill do pass.

(Reference is to SB 196 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 7, Nays 0.

C
o
p
y

