
HOUSE BILL No. 1099

DIGEST OF INTRODUCED BILL

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

Synopsis: Voyeurism. Makes the offense of voyeurism a Class D felony instead of a Class B misdemeanor if a person is convicted of the offense a second or subsequent time.

Effective: July 1, 2005.

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January 6, 2005, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1099



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, 2005]: **(a)** 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.
 15 **(b)** However, the offense **under subsection (a)** is a Class D felony
 16 if:
 17 **(1)** it is knowingly or intentionally committed by means of a



1 camera, a video camera, or any other type of video recording
 2 device; or
 3 **(2) the person who commits the offense has a prior unrelated**
 4 **conviction:**
 5 **(A) under this section; or**
 6 **(B) in another jurisdiction, including a military court, for**
 7 **an offense that is substantially similar to an offense**
 8 **described in this section.**
 9 ~~(b)~~ (c) "Peep" means any looking of a clandestine, surreptitious,
 10 prying, or secretive nature.
 11 SECTION 2. [EFFECTIVE JULY 1, 2005] **The enhanced penalty**
 12 **under IC 35-45-4-5(b)(2), as added by this act, applies only if at**
 13 **least one (1) of the offenses is committed after June 30, 2005.**

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