

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1349

By: Representative Harris

For An Act To Be Entitled

AN ACT CONCERNING THE USE OF AN UNMANNED VEHICLE OR
AIRCRAFT TO COMMIT THE OFFENSE OF VOYEURISM OR VIDEO
VOYEURISM; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE USE OF AN UNMANNED VEHICLE
OR AIRCRAFT TO COMMIT THE OFFENSE OF
VOYEURISM OR VIDEO VOYEURISM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-16-101(b), concerning the offense of video voyeurism, is amended to read as follows:

(b) It is unlawful to knowingly use an unmanned vehicle or aircraft, a camcorder, a motion picture camera, a photographic camera of any type, or other equipment that is concealed, flown in a manner to escape detection, or disguised to secretly or surreptitiously videotape, film, photograph, record, or view by electronic means a person:

(1) For the purpose of viewing any portion of the person's body that is covered with clothing and for which the person has a reasonable expectation of privacy;

(2) Without the knowledge or consent of the person being videotaped, filmed, photographed, recorded, or viewed by electronic means; and

(3) Under circumstances in which the person being videotaped, filmed, photographed, recorded, or viewed by electronic means has a reasonable expectation of privacy.



SECTION 2. Arkansas Code § 5-16-102(b), concerning the offense of voyeurism, is amended to read as follows:

(b) A person commits the offense of voyeurism if for the purpose of sexual arousal or gratification, he or she knowingly:

(1) Without the consent of each person who is present in the private place, personally or through the use of an unmanned vehicle or aircraft, looks into a private place that is, or is part of, a public accommodation and in which a person may reasonably be expected to be nude or partially nude; or

(2) Enters personally or through the use of an unmanned vehicle or aircraft another person's private property without the other person's consent and looks into any person's dwelling unit if all of the following apply:

(A) The person looks into the dwelling with the ~~intent~~ purpose to intrude upon or interfere with a person's privacy;

(B) The person looks into a part of the dwelling in which an individual is present;

(C) The individual present has a reasonable expectation of privacy in that part of the dwelling; and

(D) The individual present does not consent to the person's looking into that part of the dwelling.

APPROVED: 02/27/2015