

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/16/21

A Bill

HOUSE BILL 1732

By: Representative A. Collins

By: Senator T. Garner

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSES OF VOYEURISM AND VIDEO
VOYEURISM; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE OFFENSES OF VOYEURISM AND
VIDEO VOYEURISM.

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

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

(c)(1)~~(A)~~ A person who violates subsection (a) of this section upon conviction is guilty of a:

(A) Class D felony for a first or second offense ~~upon conviction is guilty of a Class D felony.;~~

(B) A person who violates subsection (a) of this section Class C felony for a third or subsequent offense ~~upon conviction is guilty of a Class C felony.;~~ or

(C) Class C felony if the victim is under fourteen (14) years of age.

(2)(A) A person who violates subsection (b) of this section upon conviction is guilty of a Class B misdemeanor.

(B) However, a person who violates subsection (b) of this section upon conviction is guilty of a Class A misdemeanor if the person:

(i) Distributed or transmitted the video recording, film, or photo to another person;



(ii) Posted the video recording, film, or photo in a format accessible by another person via the internet; or

(iii) Has previously been convicted of a violation of this section or § 5-16-102.

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

(c) A person who violates this section upon conviction is guilty of a:

(1) Class C felony if the victim is under fourteen (14) years of age;

~~(1)~~(2) Class D felony if:

(A) A victim is under seventeen (17) years of age and the person who commits the offense holds a position of trust or authority over the victim; or

(B) The person has previously been convicted of an offense under this section or § 5-16-101; or

~~(2)~~(3) Class A misdemeanor if otherwise committed.

/s/A. Collins

APPROVED: 4/6/21