1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 2nd Session of the 55th Legislature (2016) 4 ENGROSSED SENATE BILL NO. 1141 By: Crain of the Senate 5 and 6 Derby of the House 7 8 9 [crime and punishment - Peeping Tom offenses and punishment - effective date | 10 11 12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 1.3 SECTION 1. 21 O.S. 2011, Section 1171, is AMENDATORY amended to read as follows: 14 Section 1171. A. Every person who hides, waits or otherwise 15 loiters in the vicinity of any private dwelling house, apartment 16 building, any other place of residence, or in the vicinity of any 17 locker room, dressing room, restroom or any other place where a 18 19 person has a right to a reasonable expectation of privacy, with the 20 unlawful and willful intent to watch, gaze, or look upon any person 21 in a clandestine manner, shall, upon conviction, be quilty of a 22 misdemeanor. The violator shall be punished by imprisonment in the 23 county jail for a term of not more than one (1) year, or by a fine

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- not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.
- B. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person without the knowledge and consent of such person when the person viewed is in a place where there is a right to a reasonable expectation of privacy, or who publishes or distributes any image obtained from such act, shall, upon conviction, be guilty of a felony. The violator shall be punished by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.
 - C. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person and capture an image of a private area of a person without the knowledge and consent of such person and knowingly does so under circumstances in which a reasonable person would believe that the private area of the person would not be visible to the public, regardless of whether the person is in a public or private place shall, upon conviction, be guilty of a misdemeanor. The violator shall be punished by

1	imprisonment in the county jail for a term of not more than one (1)
2	year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
3	and the performance of not less than one hundred (100) and not more
4	than four hundred (400) hours of community service or by both such
5	fine and imprisonment.
6	D. As used in this section, the phrase "private area of the
7	person" means the naked or undergarment-clad genitals, pubic area,
8	buttocks, or any portion of the areola of the female breast of that
9	individual.
10	SECTION 2. This act shall become effective November 1, 2016.
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12	COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS, dated 04/06/2016 - DO PASS, As Amended.
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