

AN ACT

ENTITLED, An Act to revise certain provisions regarding the crime of taking or disseminating pictures without consent and to provide for a felony penalty under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 22-21-4 be amended to read as follows:

22-21-4. No person may use or disseminate any visual recording or photographic device to photograph or visually record any other person without clothing or under or through the clothing, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to self-gratify, to harass, or embarrass and invade the privacy of that other person, under circumstances in which the other person has a reasonable expectation of privacy. A violation of this section is a Class 1 misdemeanor. However, a violation of this section is a Class 6 felony if the victim is seventeen years of age or younger and the perpetrator is at least twenty-one years old.

An Act to revise certain provisions regarding the crime of taking or disseminating pictures without consent and to provide for a felony penalty under certain circumstances.

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I certify that the attached Act
originated in the
SENATE as Bill No. 35
Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate
Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 35
File No.
Chapter No.

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Received at this Executive Office
this \_\_\_ day of \_\_\_\_\_,
20\_\_\_ at \_\_\_\_\_ M.
By \_\_\_\_\_
for the Governor
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The attached Act is hereby
approved this \_\_\_ day of
\_\_\_\_\_, A.D., 20\_\_\_

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_
at \_\_\_\_\_ o'clock \_\_ M.

Secretary of State

By \_\_\_\_\_
Asst. Secretary of State