



General Assembly

February Session, 2012

Raised Bill No. 5525

LCO No. 2426

02426_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING VOYEURISM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-189a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) A person is guilty of voyeurism when, (1) with malice, such
4 person knowingly photographs, films, videotapes or otherwise records
5 the image of another person (A) without the knowledge and consent of
6 such other person, (B) while such other person is not in plain view, and
7 (C) under circumstances where such other person has a reasonable
8 expectation of privacy, or (2) with intent to arouse or satisfy the sexual
9 desire of such person or any other person, such person knowingly
10 photographs, films, videotapes or otherwise records the image of
11 another person (A) without the knowledge and consent of such other
12 person, (B) while such other person is not in plain view, and (C) under
13 circumstances where such other person has a reasonable expectation of
14 privacy, or (3) with intent to arouse or satisfy the sexual desire of such
15 person, such person commits simple trespass, as provided in section
16 53a-110a, and observes, in other than a casual or cursory manner,

17 another person (A) without the knowledge or consent of such other
18 person, (B) while such other person is inside a dwelling, as defined in
19 section 53a-100, and not in plain view, and (C) under circumstances
20 where such other person has a reasonable expectation of privacy.

21 (b) Voyeurism is a class D felony.

22 Sec. 2. (NEW) (*Effective October 1, 2012*) (a) A person is guilty of
23 voyeurism against a minor when such person commits voyeurism, as
24 defined in section 53a-189a of the general statutes, as amended by this
25 act, and the intended target of the voyeurism is under the age of
26 sixteen.

27 (b) Voyeurism against a minor is a class C felony.

28 Sec. 3. Subdivision (2) of section 54-250 of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective*
30 *October 1, 2012*):

31 (2) "Criminal offense against a victim who is a minor" means (A) a
32 violation of subdivision (2) of section 53-21 of the general statutes in
33 effect prior to October 1, 2000, subdivision (2) of subsection (a) of
34 section 53-21, subdivision (2) of subsection (a) of section 53a-70,
35 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of
36 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of
37 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,
38 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a,
39 section 2 of this act, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or
40 53a-196f, (B) a violation of subparagraph (A) of subdivision (9) of
41 subsection (a) of section 53a-71 or section 53a-92, 53a-92a, 53a-94,
42 53a-94a, 53a-95, 53a-96 or 53a-186, provided the court makes a finding
43 that, at the time of the offense, the victim was under eighteen years of
44 age, (C) a violation of any of the offenses specified in subparagraph (A)
45 or (B) of this subdivision for which a person is criminally liable under
46 section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor
47 statute to any offense specified in subparagraph (A), (B) or (C) of this

48 subdivision the essential elements of which are substantially the same
49 as said offense.

50 Sec. 4. Subdivision (5) of section 54-250 of the general statutes is
51 repealed and the following is substituted in lieu thereof (*Effective*
52 *October 1, 2012*):

53 (5) "Nonviolent sexual offense" means (A) a violation of section 53a-
54 73a or subdivision (2) or (3) of subsection (a) of section 53a-189a, as
55 amended by this act, or (B) a violation of any of the offenses specified
56 in subparagraph (A) of this subdivision for which a person is
57 criminally liable under section 53a-8, 53a-48 or 53a-49.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	53a-189a
Sec. 2	<i>October 1, 2012</i>	New section
Sec. 3	<i>October 1, 2012</i>	54-250(2)
Sec. 4	<i>October 1, 2012</i>	54-250(5)

Statement of Purpose:

To extend the crime of voyeurism to voyeurism committed pursuant to trespass, establish a heightened penalty for voyeurism when committed against a child under sixteen years of age, and require offenders to register as sexual offenders with the Commissioner of Emergency Services and Public Protection.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]