

By the Committee on Criminal Justice; and Senator Aronberg

591-2232-07

1 A bill to be entitled
2 An act relating to the offense of voyeurism;
3 amending s. 810.145, F.S.; providing that it is
4 a third-degree felony for certain persons who
5 are responsible for the welfare of a child
6 younger than 16 years of age to commit the
7 offense of video voyeurism, video voyeurism
8 dissemination, or commercial video voyeurism
9 dissemination against that child; providing
10 criminal penalties; providing that it is a
11 third-degree felony for a person employed at a
12 school to commit the offense of video
13 voyeurism, video voyeurism dissemination, or
14 commercial video voyeurism dissemination
15 against a student of the school; providing
16 criminal penalties; providing that it is a
17 second-degree felony for a person who was
18 previously convicted of or adjudicated
19 delinquent for video voyeurism, video voyeurism
20 dissemination, or commercial video voyeurism
21 dissemination to commit any such third-degree
22 felony against a child younger than 16 years of
23 age or a student; providing criminal penalties;
24 providing an effective date.
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26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Subsection (6) of section 810.145, Florida
29 Statutes, is amended, present subsection (8) of that section
30 is redesignated as subsection (9), and a new subsection (8) is
31 added to that section, to read:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 810.145 Video voyeurism.--

2 (6) Except as provided in ~~subsections~~ ~~subsection~~ (7)
3 and (8), a person who violates this section commits a
4 misdemeanor of the first degree, punishable as provided in s.
5 775.082 or s. 775.083.

6 (8)(a) A person 18 years of age or older who is
7 responsible for the welfare of a child younger than 16 years
8 of age, regardless of whether the person knows or has reason
9 to know the age of the child, and who commits an offense under
10 this section against that child commits a felony of the third
11 degree, punishable as provided in s. 775.082, s. 775.083, or
12 s. 775.084.

13 (b) A person 18 years of age or older who is employed
14 at a private school as defined in s. 1002.01 or a school as
15 defined in s. 1003.01 and who commits an offense under this
16 section against a student of the school or private school
17 commits a felony of the third degree, punishable as provided
18 in s. 775.082, s. 775.083, or s. 775.084.

19 (c) A person who violates this subsection and who has
20 previously been convicted of or adjudicated delinquent for any
21 violation of this section commits a felony of the second
22 degree, punishable as provided in s. 775.082, s. 775.083, or
23 s. 775.084.

24 Section 2. This act shall take effect July 1, 2007.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2534

- Requires the offender to be at least 18 years of age or older.
- Protects children under the age of 16 when the offender had responsibility for the child victim's welfare. The bill applied to victims who were 16 and under and did not require that the offender be responsible for the child's welfare. Lowering the age range by one year matches the age requirement for committing lewd or lascivious offenses under s. 800.04, F.S.
- Protects older victims who are students at a public or private K-12 school, regardless of age, when the offender is employed at the school.