

By Senator Aronberg

27-00111-08

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1 A bill to be entitled

2 An act relating to the offense of voyeurism; amending s.
3 810.145, F.S.; providing that it is a third-degree felony
4 for certain persons who are responsible for the welfare of
5 a child younger than 16 years of age to commit the offense
6 of video voyeurism, video voyeurism dissemination, or
7 commercial video voyeurism dissemination against that
8 child; providing criminal penalties; providing that it is
9 a third-degree felony for a person employed at a school to
10 commit the offense of video voyeurism, video voyeurism
11 dissemination, or commercial video voyeurism dissemination
12 against a student of the school; providing criminal
13 penalties; providing that it is a second-degree felony for
14 a person who was previously convicted of or adjudicated
15 delinquent for video voyeurism, video voyeurism
16 dissemination, or commercial video voyeurism dissemination
17 to commit any such third-degree felony against a child
18 younger than 16 years of age or a student; providing
19 criminal penalties; providing an effective date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Subsection (6) of section 810.145, Florida
24 Statutes, is amended, present subsection (8) of that section is
25 redesignated as subsection (9), and a new subsection (8) is added
26 to that section, to read:

27 810.145 Video voyeurism.--

28 (6) Except as provided in subsections ~~subsection~~ (7) and
29 (8), a person who violates this section commits a misdemeanor of

27-00111-08

2008328__

30 the first degree, punishable as provided in s. 775.082 or s.
31 775.083.

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

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

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

48 Section 2. This act shall take effect July 1, 2008.