

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
 26 added to that section, to read:

27 810.145 Video voyeurism.--

28 (6) Except as provided in subsections ~~subsection~~ (7) and

HB 537

2008

29 (8), a person who violates this section commits a misdemeanor of
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
33 responsible for the welfare of a child younger than 16 years of
34 age, regardless of whether the person knows or has reason to
35 know the age of the child, and who commits an offense under this
36 section 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
40 in s. 1003.01 and who commits an offense under this section
41 against a student of the school or private school commits a
42 felony of the third degree, punishable as provided in s.
43 775.082, s. 775.083, 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.