

ENROLLED
CS/HB 537

2008 Legislature

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 that it is a third-degree felony for a
9 person employed at a school or voluntary prekindergarten
10 education program to commit the offense of video
11 voyeurism, video voyeurism dissemination, or commercial
12 video voyeurism dissemination against a student of the
13 school or voluntary prekindergarten education program;
14 providing that it is a third-degree felony for a person
15 who is 24 years of age or older to commit the offense of
16 video voyeurism, video voyeurism dissemination, or
17 commercial video voyeurism dissemination against a child
18 younger than 16 years of age; providing that it is a
19 second-degree felony for a person who was previously
20 convicted of or adjudicated delinquent for video
21 voyeurism, video voyeurism dissemination, or commercial
22 video voyeurism dissemination to commit any such third-
23 degree felony against a child younger than 16 years of age
24 or a student; providing criminal penalties; providing an
25 effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:
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29 Section 1. Subsection (6) of section 810.145, Florida
30 Statutes, is amended, present subsection (8) of that section is
31 redesignated as subsection (9), and a new subsection (8) is
32 added to that section, to read:

33 810.145 Video voyeurism.--

34 (6) Except as provided in subsections ~~subsection~~ (7) and
35 (8), a person who violates this section commits a misdemeanor of
36 the first degree, punishable as provided in s. 775.082 or s.
37 775.083.

38 (8)(a) A person who is:

39 1. Eighteen years of age or older who is responsible for
40 the welfare of a child younger than 16 years of age, regardless
41 of whether the person knows or has reason to know the age of the
42 child, and who commits an offense under this section against
43 that child;

44 2. Eighteen years of age or older who is employed at a
45 private school as defined in s. 1002.01; a school as defined in
46 s. 1003.01; or a voluntary prekindergarten education program as
47 described in s. 1002.53(3)(a), (b), or (c) and who commits an
48 offense under this section against a student of the private
49 school, school, or voluntary prekindergarten education program;
50 or

51 3. Twenty-four years of age or older who commits an
52 offense under this section against a child younger than 16 years
53 of age, regardless of whether the person knows or has reason to
54 know the age of the child

55
56 commits a felony of the third degree, punishable as provided in

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57 s. 775.082, s. 775.083, or s. 775.084.

58 (b) A person who violates this subsection and who has
59 previously been convicted of or adjudicated delinquent for any
60 violation of this section commits a felony of the second degree,
61 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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