

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/16/21

# A Bill

HOUSE BILL 1732

5 By: Representative A. Collins  
6 By: Senator T. Garner  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE OFFENSES OF VOYEURISM AND VIDEO  
10 VOYEURISM; AND FOR OTHER PURPOSES.  
11

### Subtitle

14 CONCERNING THE OFFENSES OF VOYEURISM AND  
15 VIDEO VOYEURISM.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 5-16-101(c), concerning the penalties for  
21 the offense of video voyeurism, is amended to read as follows:

22 (c)(1)~~(A)~~ A person who violates subsection (a) of this section upon  
23 conviction is guilty of a:

24 (A) Class D felony for a first or second offense ~~upon~~  
25 ~~conviction is guilty of a Class D felony.~~

26 (B) ~~A person who violates subsection (a) of this section~~  
27 Class C felony for a third or subsequent offense ~~upon conviction is guilty of~~  
28 ~~a Class C felony.~~; or

29 (C) Class C felony if the victim is under fourteen (14)  
30 years of age.

31 (2)(A) A person who violates subsection (b) of this section upon  
32 conviction is guilty of a Class B misdemeanor.

33 (B) However, a person who violates subsection (b) of this  
34 section upon conviction is guilty of a Class A misdemeanor if the person:

35 (i) Distributed or transmitted the video recording,  
36 film, or photo to another person;



1 (ii) Posted the video recording, film, or photo in a  
2 format accessible by another person via the internet; or

3 (iii) Has previously been convicted of a violation  
4 of this section or § 5-16-102.

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6 SECTION 2. Arkansas Code § 5-16-102(c), concerning the penalties for  
7 the offense of voyeurism, is amended to read as follows:

8 (c) A person who violates this section upon conviction is guilty of a:

9 (1) Class C felony if the victim is under fourteen (14) years of  
10 age;

11 ~~(1)~~(2) Class D felony if:

12 (A) A victim is under seventeen (17) years of age and the  
13 person who commits the offense holds a position of trust or authority over  
14 the victim; or

15 (B) The person has previously been convicted of an offense  
16 under this section or § 5-16-101; or

17 ~~(2)~~(3) Class A misdemeanor if otherwise committed.

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20 /s/A. Collins

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23 **APPROVED: 4/6/21**  
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