

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.
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

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.

5
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.

18
19
20 /s/A. Collins
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36