

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

# A Bill

HOUSE BILL 1465

By: Representative Jones

## For An Act To Be Entitled

AN ACT TO ENABLE CHILD PROTECTION VIDEOTAPING; AND  
FOR OTHER PURPOSES.

## Subtitle

TO ENABLE CHILD PROTECTION VIDEOTAPING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 5-16-101 is amended to read as follows:  
5-16-101. Crime of video voyeurism.

(a) It is unlawful to use any camera, videotape, photo-optical, photo-electric, or any other image recording device for the purpose of secretly observing, viewing, photographing, filming, or videotaping a person present in a residence, place of business, school, or other structure, or any room or particular location within that structure, where that person is in a private area out of public view, has a reasonable expectation of privacy, and has not consented to the observation.

(b) A violation of this section is a Class D felony.

(c) The provisions of this section shall not apply to any of the following:

(1) Video recording or monitoring conducted pursuant to a court order from a court of competent jurisdiction;

(2) Security monitoring operated by or at the direction of an occupant of a residence;

(3) Security monitoring operated by or at the direction of the owner or administrator of a place of business, school, or other structure;

(4) Security monitoring operated in motor vehicles used for

1 public transit;

2 (5) Security monitoring and observation associated with  
3 correctional facilities, regardless of the location of the monitoring  
4 equipment; ~~and~~

5 (6) Video recording or monitoring conducted by law enforcement  
6 officers within the official scope of their duties; and

7 (7) Videotaping pursuant to § 12-12-508(b).