

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2338

4  
5 By: Representatives Petrus, Thompson, Kenney, Anderson, T. Hutchinson, J. Martin, Scroggin, Thyer,  
6 Walters

## For An Act To Be Entitled

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10 AN ACT PROHIBITING THE CONDUCT OF VOYEURISM; AND  
11 FOR OTHER PURPOSES.

## Subtitle

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14 AN ACT PROHIBITING THE CONDUCT OF  
15 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 Title 5, Chapter 16, Subchapter 1 is amended  
21 to add an additional section to read as follows:

22 5-16-102. Voyeurism.

23 (a) As used in this section:

24 (1) "Nude or partially nude person" means any person who has  
25 less than a fully opaque covering over the genitals, pubic area, or buttocks;

26 (2) "Private place" means a place where a person may reasonably  
27 expect to be safe from being observed without his or her knowledge and  
28 consent; and

29 (3) "Public accommodation" means a business, accommodation,  
30 refreshment, entertainment, recreation, or transportation facility where  
31 goods, services, facilities, privileges, advantages, or accommodations are  
32 offered, sold, or otherwise made available to the public.

33 (b) A person commits the offense of voyeurism if, for the purpose of  
34 sexual arousal or gratification, the person knowingly:

35 (1) Without the consent of each person who is present in the  
36 private place, looks into a private place that is, or is part of, a public



1 accommodation and in which a person may reasonably be expected to be nude or  
2 partially nude; or

3 (2) Enters another person's private property without that  
4 person's consent and looks into any person's dwelling unit if all of the  
5 following apply:

6 (A) The person looks into the dwelling with the intent to  
7 intrude upon or interfere with a person's privacy;

8 (B) The person looks into a part of the dwelling in which  
9 an individual is present;

10 (C) The person present has a reasonable expectation of  
11 privacy in that part of the dwelling; and

12 (D) The person present does not consent to the person  
13 looking into that part of the dwelling.

14 (c)(1) Except as provided in subdivision (c)(2) of this section, a  
15 violation of this section is a Class A misdemeanor.

16 (2) If a victim is under seventeen (17) years of age and the  
17 person who commits the offense holds a position of trust or authority over  
18 the victim, the violation is a Class D felony.

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