

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

# A Bill

HOUSE BILL 1732

5 By: Representative A. Collins  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE OFFENSES OF VOYEURISM AND VIDEO  
9 VOYEURISM; AND FOR OTHER PURPOSES.  
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### Subtitle

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

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

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

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

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

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

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

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

36 (ii) Posted the video recording, film, or photo in a



1 format accessible by another person via the internet; or

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

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

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

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

10 ~~(1)~~(2) Class D felony if:

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

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

16 ~~(2)~~(3) Class A misdemeanor if otherwise committed.

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