



GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2014 REGULAR SESSION

SENATE BILL NO. 225

WEDNESDAY, MARCH 19, 2014

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 9, 2014
1:51pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY L. Adler

1 AN ACT relating to voyeurism.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 →Section 1. KRS 531.090 is amended to read as follows:

4 (1) A person is guilty of voyeurism when:

5 (a) He or she intentionally:

6 1. Uses or causes the use of any camera, videotape, photooptical,
7 photoelectric, or other image recording device for the purpose of
8 observing, viewing, photographing, filming, or videotaping the sexual
9 conduct, genitals, an undergarment worn without being publicly
10 visible, or nipple of the female breast of another person without that
11 person's consent; or

12 2. Uses the unaided eye or any device designed to improve visual acuity for
13 the purpose of observing or viewing the sexual conduct, genitals, an
14 undergarment worn without being publicly visible, or nipple of the
15 female breast of another person without that person's consent; or

16 3. Enters or remains unlawfully in or upon the premises of another for the
17 purpose of observing or viewing the sexual conduct, genitals, an
18 undergarment worn without being publicly visible, or nipple of the
19 female breast of another person without the person's consent; and

20 (b) The other person is in a place where a reasonable person would believe that
21 his or her sexual conduct, genitals, undergarments, or nipple of the female
22 breast will not be observed, viewed, photographed, filmed, or videotaped
23 without his or her knowledge.

24 (2) The provisions of subsection (1) of this section shall not apply to:

25 (a) A law enforcement officer during a lawful criminal investigation; or

26 (b) An employee of the Department of Corrections, the Department of Juvenile
27 Justice, a private prison, a local jail, or a local correctional facility whose

- 1 actions have been authorized for security or investigative purposes.
- 2 (3) Unless objected to by the victim or victims of voyeurism, the court on its own
3 motion or on motion of the Commonwealth's attorney shall:
- 4 (a) Order the sealing of all photographs, film, videotapes, or other images that are
5 introduced into evidence during a prosecution under this section or are in the
6 possession of law enforcement, the prosecution, or the court as the result of a
7 prosecution under this section; and
- 8 (b) At the conclusion of a prosecution under this section, unless required for
9 additional prosecutions, order the destruction of all of the photographs, film,
10 videotapes, or other images that are in possession of law enforcement, the
11 prosecution, or the court.
- 12 (4) Voyeurism is a Class A misdemeanor.

Katie Kratz Stone
President of Senate

Greg W. Stuber
Speaker-House of Representatives

Attest: [Signature]
Chief Clerk of Senate

Approved [Signature]
Governor

Date 4/9/14