

- SUBJECT:** Creating a criminal offense for voyeurism
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Herrero, Moody, Canales, Hunter, Leach, Shaheen, Simpson
0 nays
- WITNESSES:** For — (*Registered, but did not testify*: David Mintz, Texas Apartment Association; Chris Kaiser, Texas Association Against Sexual Assault; Gary Chandler, Texas Department of Public Safety Officers Association; Justin Bragiel, Texas Hotel and Lodging Association; Lon Craft, Texas Municipal Police Association; Frederick Frazier; Marla Flint; Jeffrey Knoll)

Against — Patricia Cummings, Texas Criminal Defense Lawyers Association
- BACKGROUND:** Penal Code, ch. 21 establishes sexual offenses, including public lewdness, a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000), and indecent exposure, a class B misdemeanor (up to 180 days in jail and/or a maximum fine of \$2,000). It does not include an offense specifically for voyeurism.
- DIGEST:** CSHB 207 would create a criminal offense in Penal Code, ch. 21 called voyeurism. It would be an offense for an individual, with the intent of arousing or gratifying the individual's sexual desire, to observe another person without the other's consent while the other person was in a dwelling or structure in which the other person had a reasonable expectation of privacy.

An offense would be class C misdemeanor (maximum fine of \$500). Third and subsequent offenses would be class B misdemeanors (up to 180 days in jail and/or a maximum fine of \$2,000). The offense would be a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000) if the victim was a child younger than 14 years old.

The bill would take effect September 1, 2015.