As Introduced

133rd General Assembly
Regular Session
2019-2020

H. B. No. 307

Representatives Antani, Plummer

A BILL

To amend section 2907.08 of the Revised Code to increase the penalties for the offense of voyeurism.

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

Section 1. That section 2907.08 of the Revised Code be amended to read as follows:

Sec. 2907.08. (A) No person, for the purpose of sexually arousing or gratifying the person's self, shall commit trespass or otherwise surreptitiously invade the privacy of another, to spy or eavesdrop upon another.

(B) No person, for the purpose of sexually arousing or gratifying the person's self, shall commit trespass or otherwise surreptitiously invade the privacy of another to videotape, film, photograph, or otherwise record the other person in a state of nudity.

(C) No person, for the purpose of sexually arousing or gratifying the person's self, shall commit trespass or otherwise surreptitiously invade the privacy of another to videotape, film, photograph, otherwise record, or spy or eavesdrop upon the other person in a state of nudity if the other person is a
minor.

(D) No person shall secretly or surreptitiously videotape, film, photograph, or otherwise record another person under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person.

(E)(1) Whoever violates this section is guilty of voyeurism.

(2) (a) Except as otherwise provided in division (E)(2) or (c) of this section, a violation of division (A) of this section is a misdemeanor of the third first degree.

(b) If the offender previously has been convicted of or pleaded guilty to two violations of this section, a violation of division (A) of this section is a felony of the fifth degree.

(c) If the offender previously has been convicted of or pleaded guilty to three or more violations of this section, a violation of division (A) of this section is a felony of the fourth degree.

(3) (a) Except as provided in division (E)(3) (b) or (c) of this section, a violation of division (B) of this section is a misdemeanor of the second first degree.

(b) If the offender previously has been convicted of or pleaded guilty to two violations of this section, a violation of division (B) of this section is a felony of the fifth degree.

(c) If the offender previously has been convicted of or pleaded guilty to three or more violations of this section, a violation of division (B) of this section is a felony of the fourth degree.
(4) (a) Except as otherwise provided in division (E)(4) or (c) of this section, a violation of division (D) of this section is a misdemeanor of the first degree.

(b) If the offender previously has been convicted of or pleaded guilty to two violations of this section, a violation of division (D) of this section is a felony of the fifth degree.

(c) If the offender previously has been convicted of or pleaded guilty to three or more violations of this section, a violation of division (D) of this section is a felony of the fourth degree.

(5) (a) Except as otherwise provided in division (E)(5) of this section, a violation of division (C) of this section is a felony of the fifth degree.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of this section, a violation of division (C) of this section is a felony of the fourth degree.

Section 2. That existing section 2907.08 of the Revised Code is hereby repealed.