

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 218

Senator Antani

A BILL

To amend section 2907.08 of the Revised Code to 1
increase the penalties for the offense of 2
voyeurism. 3

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

Section 1. That section 2907.08 of the Revised Code be 4
amended to read as follows: 5

Sec. 2907.08. (A) No person, for the purpose of sexually 6
arousing or gratifying the person's self, shall commit trespass 7
or otherwise surreptitiously invade the privacy of another, to 8
spy or eavesdrop upon another. 9

(B) No person, for the purpose of sexually arousing or 10
gratifying the person's self, shall commit trespass or otherwise 11
surreptitiously invade the privacy of another to videotape, 12
film, photograph, or otherwise record the other person in a 13
state of nudity. 14

(C) No person, for the purpose of sexually arousing or 15
gratifying the person's self, shall commit trespass or otherwise 16
surreptitiously invade the privacy of another to videotape, 17
film, photograph, otherwise record, or spy or eavesdrop upon the 18
other person in a state of nudity if the other person is a 19

minor. 20

(D) No person shall secretly or surreptitiously videotape, 21
film, photograph, or otherwise record another person under or 22
through the clothing being worn by that other person for the 23
purpose of viewing the body of, or the undergarments worn by, 24
that other person. 25

(E) (1) Whoever violates this section is guilty of 26
voyeurism. 27

(2) - A - (a) Except as otherwise provided in division (E) (2) 28
(b) or (c) of this section, a violation of division (A) of this 29
section is a misdemeanor of the ~~third~~ first degree. 30

(b) If the offender previously has been convicted of or 31
pleaded guilty to two violations of this section, a violation of 32
division (A) of this section is a felony of the fifth degree. 33

(c) If the offender previously has been convicted of or 34
pleaded guilty to three or more violations of this section, a 35
violation of division (A) of this section is a felony of the 36
fourth degree. 37

(3) - A - (a) Except as provided in division (E) (3) (b) or (c) 38
of this section, a violation of division (B) of this section is 39
a misdemeanor of the ~~second~~ first degree. 40

(b) If the offender previously has been convicted of or 41
pleaded guilty to two violations of this section, a violation of 42
division (B) of this section is a felony of the fifth degree. 43

(c) If the offender previously has been convicted of or 44
pleaded guilty to three or more violations of this section, a 45
violation of division (B) of this section is a felony of the 46
fourth degree. 47

(4)-A-(a) Except as otherwise provided in division (E) (4) 48
(b) or (c) of this section, a violation of division (D) of this 49
section is a misdemeanor of the first degree. 50

(b) If the offender previously has been convicted of or 51
pleaded guilty to two violations of this section, a violation of 52
division (D) of this section is a felony of the fifth degree. 53

(c) If the offender previously has been convicted of or 54
pleaded guilty to three or more violations of this section, a 55
violation of division (D) of this section is a felony of the 56
fourth degree. 57

(5)-A-(a) Except as otherwise provided in division (E) (5) 58
(b) of this section, a violation of division (C) of this section 59
is a felony of the fifth degree. 60

(b) If the offender previously has been convicted of or 61
pleaded guilty to a violation of this section, a violation of 62
division (C) of this section is a felony of the fourth degree. 63

Section 2. That existing section 2907.08 of the Revised 64
Code is hereby repealed. 65