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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Office

**H.B. 345**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. LaRe

Shalanda R. Plowden, Attorney

### SUMMARY

- Increases the penalty for voyeurism regarding the viewing of another person's private area to a fifth degree felony and increases the penalty to a fourth degree felony if the offender has previously been convicted of or pleaded guilty to a violation of the offense.
- Increases the penalty for voyeurism regarding viewing the body or undergarments of another to a fifth degree felony and increases the penalty to a fourth degree felony if the offender has previously been convicted of or pleaded guilty to a violation of the offense.
- Increases the penalty for voyeurism regarding the viewing of a minor's private area to a fourth degree felony and increases the penalty to a third degree felony if the offender has previously been convicted of or pleaded guilty to a violation of the offense.

### DETAILED ANALYSIS

#### Voyeurism

Under continuing law, there are four circumstances in which a person can commit the offense of voyeurism. Three of those circumstances are as follows:

- By, for the purpose of viewing the private areas of another, committing trespass or otherwise surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording another person in a place where the person has a reasonable expectation of privacy. A violation of this prohibition is currently a second degree misdemeanor.<sup>1</sup>
- By, for the purpose of viewing the body of, or the undergarments worn by another, secretly or surreptitiously videotaping, filming, or otherwise recording the other person

<sup>1</sup> R.C. 2907.08(B) and (E)(3).

above, under, or through the clothing being worn by that other person. A violation of this prohibition is currently a first degree misdemeanor.<sup>2</sup>

- By, for the purpose of viewing the private areas of a minor, committing trespass or otherwise surreptitiously videotaping, filming, photographing, broadcasting, streaming, or otherwise recording a minor in a place where the minor has a reasonable expectation of privacy. A violation of this prohibition is currently a fifth degree felony.<sup>3</sup>

For each of the circumstances described above, the bill increases the penalty to a fifth degree felony on a first offense. If an offender previously has been convicted of or pleaded guilty to voyeurism under the circumstances described in the first two bullet points above, the penalty is a fourth degree felony. If an offender previously has been convicted of or pleaded guilty to voyeurism under the circumstance described in the third bullet point above, the penalty is a third degree felony.<sup>4</sup>

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## HISTORY

Action	Date
Introduced	06-10-25

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<sup>2</sup> R.C. 2907.08(D) and (E)(4).

<sup>3</sup> R.C. 2907.08(C) and (E)(5).

<sup>4</sup> R.C. 2907.08(E)(3), (4), and (5).