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H.B. 345
136th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsor: Rep. LaRe

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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.[1]
- 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

[1] 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.[2]

- 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.[3]

For the first two circumstances described above, the bill increases the penalty to a fifth degree felony on a first offense. The third circumstance is increased to a fourth degree felony on the first offense. If an offender previously has been convicted of or pleaded guilty to voyeurism under any of the circumstances above and the initial offense was voyeurism as described in either of 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 any of the circumstances above and the initial offense committed was voyeurism as described in the third bullet point above, the penalty is a third degree felony.[4]

HISTORY

Action	Date
Introduced	06-10-25
Reported, H. Judiciary	06-03-26
Passed House (91-0)	06-03-26

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[2] R.C. 2907.08(D) and (E)(4).

[3] R.C. 2907.08(C) and (E)(5).

[4] R.C. 2907.08(E)(3), (4), and (5).