

1994 SESSION

INTRODUCED

LD1734112

HOUSE BILL NO. 499

Offered January 24, 1994

A BILL to amend the Code of Virginia by adding a section numbered 18.2-386.1, relating to unlawful filming, videotaping or photographing of another; penalty.

Patrons—Almand, Connally and Darnier; Senators: Calhoun, Holland, E.M. and Howell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-386.1 as follows:

§ 18.2-386.1. Unlawful filming or videotaping of another; penalty.

A. It shall be unlawful for any person to videotape, photograph, or film another person who is in a state of total or partial undress, without that person's consent, in a rest room, bedroom, dressing room, locker room, hotel room, motel room, tanning bed, tanning booth or other location under circumstances where the person being photographed would have a reasonable expectation of privacy.

B. The provisions of this section shall not apply to videotaping, photographing, or filming by (i) law-enforcement officers pursuant to a criminal investigation, which is otherwise legal or (ii) correctional officials for security purposes or for investigations of alleged misconduct involving a person committed to the Department of Corrections or to any sound recording of an oral conversation made as a result of any videotaping or filming pursuant to Chapter 6 (§ 19.2-61 et seq.) of Title 19.2.

C. A violation of subsection A shall be punishable as a Class 6 felony.

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