

2023 SESSION

SENATE SUBSTITUTE

23106610D

HOUSE BILL NO. 1583

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary
on February 20, 2023)

(Patron Prior to Substitute—Delegate Sullivan)

A BILL to amend and reenact § 18.2-130.1 of the Code of Virginia, relating to peeping or spying into a dwelling or occupied building by unmanned aircraft system; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-130.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-130.1. Peeping or spying into dwelling or occupied building by electronic device or unmanned aircraft system; penalty.

A. It is unlawful for any person to knowingly and intentionally cause an electronic device to enter the property of another to secretly or furtively peep or spy or attempt to peep or spy into or through a window, door, or other aperture of any building, structure, or other enclosure occupied or intended for occupancy as a dwelling, whether or not such building, structure, or enclosure is permanently situated or transportable and whether or not such occupancy is permanent or temporary, or to do the same, without just cause, upon property owned by him and leased or rented to another under circumstances that would violate the occupant's reasonable expectation of privacy.

B. It is unlawful for any person to knowingly and intentionally cause an unmanned aircraft system to secretly or furtively peep or spy or attempt to peep or spy into or through a window, door, or other aperture of any building, structure, or other enclosure occupied or intended for occupancy as a dwelling, whether or not such building, structure, or enclosure is permanently situated or transportable and whether or not such occupancy is permanent or temporary, without just cause, under circumstances that would violate the occupant's reasonable expectation of privacy.

C. A violation of this section is a Class 1 misdemeanor. The provisions of this section shall not apply to a lawful criminal investigation.

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