



1997 ASSEMBLY BILL 276

April 11, 1997 - Introduced by Representatives SERATTI, HOVEN, WASSERMAN, GREEN, FREESE, ALBERS, AINSWORTH, MUSSER, OTTE, KREIBICH, LAZICH, HASENOHRL, WALKER, GUNDERSON, POWERS, RYBA and SYKORA, cosponsored by Senator A. LASEE. Referred to Committee on Criminal Justice and Corrections.

- 1 AN ACT *to amend* chapter 942 (title); and *to create* 942.08 of the statutes;
2 **relating to:** criminal invasion of privacy and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person is prohibited from doing any of the following: 1) making a visual representation (including a photograph, motion picture or videotape) that depicts nudity without the knowledge and consent of the person who is depicted nude; or 2) possessing or distributing a visual representation that depicts nudity if the person knows or has reason to know that the visual representation was made without the knowledge and consent of the person who is depicted nude.

This bill prohibits a person from knowingly installing or using a surveillance device in any place with the intent to observe any nude or partially nude person without the consent of the person observed. The bill defines "surveillance device" to mean any device, instrument, apparatus, implement, mechanism or contrivance that is used, designed to be used or primarily intended to be used to observe the activities of a person, including a peephole or similar method of direct sight observation. A person who violates the prohibition created in the bill may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

