

1999 ASSEMBLY BILL 159

March 4, 1999 – Introduced by Representatives BOCK, TURNER, ALBERS, BLACK, SINICKI and COLON, cosponsored by Senators BURKE and CLAUSING. Referred to Committee on Criminal Justice.

1 **AN ACT** *to create* 939.32 (1) (f) and 944.25 of the statutes; **relating to:** looking
2 into a building for sexual purposes and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, there are various crimes involving sexually related activity, such as prohibitions against a person exposing his or her genitals in public or committing a sex act in public. In addition, 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.

Finally, current law prohibits a person from knowingly installing a surveillance device in any private place, or from knowingly using a surveillance device installed in a private place, with the intent to observe any nude or partially nude person without the consent of the person observed.

This bill prohibits a person from going or remaining on the property of another, without consent, and looking into a building at another. The prohibition applies only if the person is acting for purposes of sexual gratification or arousal. Upon conviction, a violator may be fined not more than \$10,000 or imprisoned for not more

