

1999 SENATE BILL 26

February 3, 1999 – Introduced by Senator BURKE, cosponsored by Representative BOCK. Referred to Committee on Judiciary and Consumer Affairs.

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

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than nine months or both. Persons who attempt to commit this new crime are subject to the same penalties.

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

1 **SECTION 1.** 939.32 (1) (f) of the statutes is created to read:

2 939.32 (1) (f) Whoever attempts to commit a crime under s. 944.25 is subject
3 to the penalty provided in that section for the completed act.

4 **SECTION 2.** 944.25 of the statutes is created to read:

5 **944.25 Looking into building for sexual purpose.** Whoever does all of the
6 following is guilty of a Class A misdemeanor:

7 **(1)** Enters or remains on the property of another without the consent of the
8 owner or occupant of the property.

9 **(2)** While on that property and acting for purposes of sexual arousal or sexual
10 gratification, looks into a building at a person.

11 **(END)**