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ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1997 ASSEMBLY BILL 276

August 28, 1997 - Offered by Committee on Criminal Justice and Corrections.

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. |
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| | The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: |
| 3 | SECTION 1. Chapter 942 (title) of the statutes is amended to read: |
| 4 | CHAPTER 942 |
| 5 | CRIMES AGAINST REPUTATION, |
| 6 | PRIVACY AND CIVIL LIBERTIES |
| 7 | Section 2. 942.08 of the statutes is created to read: |
| 8 | 942.08 Invasion of privacy. (1) In this section: |
| 9 | (a) "Nude or partially nude person" means any human being who has less than |
| 10 | fully and opaquely covered genitals, pubic area or buttocks, any female human being |

who has less than a fully opaque covering over any portion of a breast below the top

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- of the nipple, or any male human being with covered genitals in a discernibly turgid state.
- (b) "Private place" means a place where a person may reasonably expect to be safe from surveillance.
- (c) "Surveillance device" means any device, instrument, apparatus, implement, mechanism or contrivance used, designed to be used or primarily intended to be used to observe the activities of a person. "Surveillance device" includes a peephole or similar method of direct sight observation.
- (2) Whoever knowingly installs a surveillance device in any private place, or uses a surveillance device that has been installed in a private place, with the intent to observe any nude or partially nude person without the consent of the person observed is guilty of a Class A misdemeanor.

13 (END)