

BILL ANALYSIS

C.S.H.B. 12
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there is no law that specifically addresses peeping activity in public facilities such as restrooms, changing areas, or shower stalls. For example, if a person is using a public toilet, and realizes that someone is peeping, there is no specific violation with which to charge them. When the suspect is identified, officers typically file a charge under Section 42.01(a)(2), Penal Code. However, this statute addresses offensive gestures, not peeping activity. Sections 42.01(a)(7) and (8) likewise do not apply because the conduct must be committed by the perpetrator while looking into a dwelling, hotel, or other similar establishment. Consequently, a charge which cites any of these sections may not be accepted by a judge. C.S.H.B. 12 makes it a criminal offense for a person to look into a public restroom or dressing room for a lewd or unlawful purpose.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 12 amends the Penal Code to make it an offense for a person to look into an area, such as a restroom or shower stall or changing or dressing room that is designed for privacy, for a lewd or unlawful purpose while on the premises of a public place.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original bill to combine the proposed language with existing text to form a single subdivision. Whereas, the original bill added the proposed language to the end of the list of subdivisions.