

By: Coleman

H.B. No. 655

Substitute the following for H.B. No. 655:

By: Pena

C.S.H.B. No. 655

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of improper photography or visual recording.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.15, Penal Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A person commits an offense if the person:

(1) photographs or by videotape or other electronic means visually records another person at a location that is not a bathroom or private dressing room:

(A) without the other person's consent; and

(B) with intent to arouse or gratify the sexual desire of any person;

(2) photographs or by videotape or other electronic means visually records another at a location that is a bathroom or private dressing room:

(A) without the other person's consent; and

(B) with intent to:

(i) invade the privacy of the other person;

or

(ii) arouse or gratify the sexual desire of any person; or

(3) [~~2~~] knowing the character and content of the

1 photograph or recording, promotes a photograph or visual recording
2 described by Subdivision (1) or (2).

3 (e) For purposes of Subsection (b)(2), a sign or signs
4 posted indicating that the person is being photographed or recorded
5 is not sufficient to establish the person's consent under that
6 subdivision.

7 SECTION 2. The change in law made by this Act applies only
8 to an offense committed on or after the effective date of this Act.
9 An offense committed before the effective date of this Act is
10 covered by the law in effect when the offense was committed, and the
11 former law is continued in effect for that purpose. For purposes of
12 this section, an offense is committed before the effective date of
13 this Act if any element of the offense occurs before the effective
14 date.

15 SECTION 3. This Act takes effect September 1, 2007.