

By: Gattis

H.B. No. 1804

A BILL TO BE ENTITLED

1 AN ACT

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

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

5 SECTION 1. Section 21.15(b), Penal Code, is amended to read
6 as follows:

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

8 (1) photographs or by videotape or other electronic
9 means [~~visually~~] records, broadcasts, or transmits a visual image
10 of another:

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

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

14 (2) knowing the character and content of the
15 photograph, [~~or~~] recording, broadcast, or transmission, promotes a
16 photograph, [~~or visual~~] recording, broadcast, or transmission
17 described by Subdivision (1).

18 SECTION 2. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 governed by the law in effect when the offense was committed, and
22 the former law is continued in effect for that purpose. For the
23 purposes of this section, an offense is committed before the
24 effective date of this Act if any element of the offense was

1 committed before that date.

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