

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

535J0093

HOUSE BILL NO. 1158

Introduced by: Representatives Cutler, Cradduck, Garnos, Gillespie, Hennies, Michels, Murschel, Rounds, Schafer, and Van Gerpen and Senators Sutton (Dan), Abdallah, Albers, Duniphan, Earley, Ham-Burr, Moore, and Vitter

1 FOR AN ACT ENTITLED, An Act to prohibit the taking of certain pictures of another without
2 that person's consent.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No person may use a concealed camcorder, motion picture camera, or
5 photographic camera of any type, to secretly videotape, film, photograph, or record by electronic
6 means, any other person without clothing, or any other person under or through the clothing
7 being worn by that other person, for the purpose of viewing the body of, or the undergarments
8 worn by, that other person, without the consent or knowledge of that other person, with the
9 intent to arouse, appeal to, or gratify the lust, passions, or sexual desires of that person and
10 invade the privacy of that other person, under circumstances in which the other person has a
11 reasonable expectation of privacy. A violation of this section is a Class 1 misdemeanor.

