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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 307
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Antani and Plummer

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SUMMARY

- Increases the prescribed penalties for the offense of voyeurism.

DETAILED ANALYSIS

Voyeurism

The offense of voyeurism, under continuing law, prohibits a person from doing any of the following:¹

- For the purpose of sexually arousing or gratifying themselves, committing trespass or otherwise surreptitiously invading the privacy of another, to spy or eavesdrop upon another person.
- For the purpose of sexually arousing or gratifying themselves, committing trespass or otherwise surreptitiously invading the privacy of another person to videotape, film, photograph, or otherwise record the other person in a state of nudity.
- For the purpose of sexually arousing or gratifying themselves, committing trespass or otherwise surreptitiously invading the privacy of another person to videotape, film, photograph, otherwise record, or spy or eavesdrop upon another person in a state of nudity if the other person is a minor.
- Secretly or surreptitiously videotaping, filming, photographing, or otherwise recording another person under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person.

¹ R.C. 2907.08(A) through (D).

Whoever violates one of the above prohibitions is guilty of the offense of voyeurism.²

Penalties

The bill increases the penalties for the various voyeurism offenses as outlined in the following table:³

H.B. 307 Increased voyeurism penalties		
Circumstances	Existing law penalty	Penalty under the bill
For the purpose of sexually arousing or gratifying themselves, the offender commits trespass or otherwise surreptitiously invades the privacy of another, to spy or eavesdrop upon another person.	3 rd degree misdemeanor (M3)	1 st degree misdemeanor (M1)
Same as above, but the offender has twice previously been convicted of or pleaded guilty to voyeurism.	M3	5 th degree felony (F5)
Same as above, but the offender has three or more times previously been convicted of or pleaded guilty to voyeurism.	M3	F4
For the purpose of sexually arousing or gratifying themselves, the offender commits trespass or otherwise surreptitiously invades the privacy of another person to videotape, film, photograph, or otherwise record the other person in a state of nudity.	M2	M1
Same as above, but the offender has twice previously been convicted of or pleaded guilty to voyeurism.	M2	F5
Same as above, but the offender has three or more times previously been convicted of or pleaded guilty to voyeurism.	M2	F4
The offender secretly or surreptitiously videotapes, films, photographs, or otherwise records another person under or through the clothing being worn by that other person for the purpose of viewing the	M1	M1

² R.C. 2907.08(E)(1).

³ R.C. 2907.08(E)(2) through (E)(5).

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Circumstances	Existing law penalty	Penalty under the bill
body of, or the undergarments worn by, that other person.		
Same as above, but the offender has twice previously been convicted of or pleaded guilty to voyeurism.	M1	F5
Same as above, but the offender has three or more times previously been convicted of or pleaded guilty to voyeurism.	M1	F4
For the purpose of sexually arousing or gratifying themselves, the offender commits trespass or otherwise surreptitiously invades the privacy of another person to videotape, film, photograph, otherwise record, or spy or eavesdrop upon another person in a state of nudity if the other person is a minor.	F5	F5
Same as above, but the offender has previously been convicted of or pleaded guilty to voyeurism.	F5	F4

HISTORY

Action	Date
Introduced	06-27-19