

By: Representative Moak

To: Judiciary A

HOUSE BILL NO. 388

1 AN ACT TO AMEND SECTION 97-29-63, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE ELEMENTS OF THE CRIME OF PHOTOGRAPHING OR FILMING
3 ANOTHER WITHOUT PERMISSION; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-29-63, Mississippi Code of 1972, is
6 amended as follows:

7 97-29-63. Any person who with lewd, licentious or indecent
8 intent secretly photographs, films, videotapes, records, or uses a
9 monitor or any other device used to view any person, or otherwise
10 reproduces the image of another person without the permission of
11 such person when such a person is located in a place where a
12 person would intend to be in a state of undress and have a
13 reasonable expectation of privacy, including, but not limited to,
14 private dwellings or any facility, public or private, used as a
15 restroom, bathroom, shower room, tanning booth, locker room,
16 fitting room, dressing room or bedroom shall be guilty of a felony
17 and upon conviction shall be punished by a fine of Five Thousand
18 Dollars (\$5,000.00) or by imprisonment of not more than five (5)
19 years in the custody of the Department of Corrections, or both.

20 **SECTION 2.** This act shall take effect and be in force from
21 and after July 1, 2007.