

By: Senator(s) Fillingane, Branning, Parker, To: Judiciary, Division B
Blackwell, McLendon

SENATE BILL NO. 2245
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972,
2 TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; TO ENACT
3 "BUDDY'S LAW"; TO REQUIRE A CHILD ADJUDICATED DELINQUENT OF
4 CERTAIN OFFENSES AGAINST A DOMESTICATED DOG OR CAT TO RECEIVE A
5 PSYCHIATRIC EVALUATION AND COUNSELING OR TREATMENT FOR A LENGTH OF
6 TIME PRESCRIBED BY THE YOUTH COURT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 97-29-61, Mississippi Code of 1972, is
9 amended as follows:

10 97-29-61. (1) (a) Any person who enters upon real
11 property, whether the original entry is legal or not, and
12 thereafter pries or peeps through a window or other opening in a
13 dwelling or other building structure for the lewd, licentious and
14 indecent purpose of spying upon the occupants thereof, shall be
15 guilty of a felonious trespass.

16 (b) Any person who looks through a window, hole or
17 opening, or otherwise views by means of any instrumentality,
18 including, but not limited to, a periscope, telescope, binoculars,
19 drones, camera, motion-picture camera, camcorder or mobile phone,
20 into the interior of a bedroom, bathroom, changing room, fitting



21 room, dressing room, spa, massage room or therapy room or tanning
22 booth, or the interior of any other area in which the occupant has
23 a reasonable expectation of privacy, with the intent to invade the
24 privacy of a person or persons inside and without the consent or
25 knowledge of every person present, for the lewd, licentious and
26 indecent purpose of spying upon the occupant or occupants thereof,
27 shall be guilty of a felony.

28 (2) (a) Except as provided in paragraph (b) of this
29 subsection, a person who * * * is over the age of * * * eighteen
30 (18) at the time of the offense * * * and is convicted of a
31 violation of subsection (1) of this section shall be imprisoned in
32 the custody of the Department of Corrections not more than five
33 (5) years.

34 (b) When one or more occupants spied upon is a child
35 under sixteen (16) years of age, a person who was over the age of
36 twenty-one (21) at the time of the offense who is convicted of a
37 violation of subsection (1) of this section shall be imprisoned in
38 the custody of the Department of Corrections not more than ten
39 (10) years.

40 **SECTION 2.** (1) This section shall be known and may be cited
41 as "Buddy's Law."

42 (2) When a child is adjudicated delinquent of an offense
43 involving the intentional torturing, mutilating, maiming, burning,
44 starving to death, crushing, disfiguring, drowning, suffocating or
45 impaling of a domesticated dog or cat as described in Section



46 97-14-16, the youth court shall order that the child adjudicated
47 delinquent receives a psychiatric evaluation and counseling or
48 treatment for a length of time as prescribed by the youth court.
49 The cost of any evaluation, counseling and treatment shall be paid
50 by the offender's parent or guardian, or by the state if the
51 offender is a ward of the state, upon order of the youth court, up
52 to a maximum amount that is no more than the jurisdictional limit
53 of the sentencing court. The youth court shall hold the
54 offender's parent or guardian in contempt under Section 43-21-509
55 if the parent or guardian willfully does not follow the
56 recommended treatment for the offender.

57 (3) The Legislature does recognize that animal abuse by a
58 child often leads to further criminal activity by the child as he
59 or she ages. This activity is sometimes homicidal; however, it is
60 the Legislature's intent that a mental health evaluation under
61 this section is only required in extreme situations as prescribed
62 in Section 97-14-16. Further, it is the intent of the Legislature
63 that a minor offense of abuse of a cat or dog by a child shall not
64 require a mental health evaluation unless the judge, after a
65 hearing, shall determine if the evaluation is necessary.

66 **SECTION 3.** This act shall take effect and be in force from
67 and after July 1, 2022.

