

BILL ANALYSIS

Senate Research Center
78R1107 KEL-D

S.B. 140
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Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, a person commits an offense if the person photographs, videotapes, or records by other electronic means, a person without that person's consent and with the intent to arouse or gratify the sexual desire of another. As proposed, S.B. 140 would expand the current offense of improper photography or visual recording to apply to persons who knowingly promote such images.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.15, Penal Code, as follows:

- (a) Defines "promote."
- (b) Creates this subsection from existing text, makes conforming changes, and creates Subdivision (2).
 - (2) Provides that a person commits an offense if the person, knowing the character and content of the items, promotes certain improper photographs or visual recordings.
- (c) Reletters existing Subsection (b).
- (d) Authorizes the prosecution of an actor under this section or other law if conduct that constitutes an offense under this section also constitutes an offense under any other law.

SECTION 2. Effective date: September 1, 2003.