

## **BILL ANALYSIS**

Senate Research Center  
80R487 HLT-D

S.B. 144  
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Criminal Justice  
4/5/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Sexual violence works on a continuum that includes verbal harassment and any type of unwanted sexual contact. Early behaviors in this continuum, such as voyeurism, can progress to much more serious offenses such as rape. Chapter 21 (Sexual Offenses), Penal Code, defines a number of forms of sexual offenses but does not include voyeurism among those offenses. Currently, the act of voyeurism is listed as a disorderly conduct offense, not a sexual offense. Establishing voyeurism as a sexual offense may better address the significance of the crime of voyeurism and may assist law enforcement agencies with catching and treating sexual offenders early in the continuum before they potentially commit more serious offenses.

As proposed, S.B. 144 defines voyeurism with the intent to create sexual gratification as a sexual offense.

### **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 Chapter 21, Penal Code, by adding Section 21.13, as follows:

Sec. 21.13. VOYEURISM. (a) Provides that a person commits an offense if the person, with the intent of arousing or gratifying the sexual desire of any person, engages in certain acts.

(b) Provides that an act, for purposes of this section, is considered to occur in a public place if it produces its offensive or proscribed consequences in the public place.

(c) Provides that an offense under this section is a Class C misdemeanor.

SECTION 2. Amends Section 42.01(a), Penal Code, to make a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.