

# HOUSE BILL No. 1179

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-46-8.5-1.

**Synopsis:** Unlawful surveillance of another's dwelling. Provides that, with certain exceptions, a person who knowingly or intentionally uses a camera or electronic surveillance equipment: (1) located outside of another person's private property; (2) to record images or data of the interior of the other person's dwelling; and (3) without the other person's consent; commits a Class C infraction. Makes a technical correction.

**Effective:** July 1, 2020.

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January 8, 2020, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

# HOUSE BILL No. 1179

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-46-8.5-1, AS AMENDED BY P.L.58-2016,  
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 1. (a) This section does not apply to any of the  
4 following:

5 (1) Electronic or video toll collection facilities or activities  
6 authorized under any of the following:

7 (A) IC 8-15-2.  
8 (B) IC 8-15-3.  
9 (C) IC 8-15.5.  
10 (D) IC 8-15.7.  
11 (E) IC 8-16.  
12 (F) IC 9-21-3.5.

13 (2) A law enforcement officer who has obtained:

14 (A) a search warrant; or  
15 (B) the consent of the owner ~~or~~ of private property;  
16 to place a camera or electronic surveillance equipment on private  
17 property.



1           (3) A law enforcement officer who uses a law enforcement  
2           recording device in performance of the officer's duties.

3           (b) A person who knowingly or intentionally places a camera or  
4           electronic surveillance equipment that records images or data of any  
5           kind while unattended on the private property of another person  
6           without the consent of the owner or tenant of the private property  
7           commits a Class A misdemeanor.

8           **(c) A person who knowingly or intentionally uses a camera or**  
9           **electronic surveillance equipment:**

10           **(1) located outside of another person's private property;**

11           **(2) to record images or data of any kind of the interior of the**  
12           **other person's dwelling; and**

13           **(3) without the other person's consent;**

14           **commits a Class C infraction.**

