

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

529S0309

SENATE BILL NO. 54

Introduced by: Senators Lederman, Begalka, Buhl, and Rhoden and Representatives Nelson (Stace), Bolin, Haggar, Jensen, Liss, Lucas, and Olson (Betty)

1 FOR AN ACT ENTITLED, An Act to criminalize certain acts exploiting minors and to provide
2 a penalty therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-21-4 be amended to read as follows:

5 22-21-4. No person may use a concealed camcorder, motion picture camera, or photographic
6 camera of any type, to secretly videotape, film, photograph, or record by electronic means, any
7 other person without clothing, or any other person under or through the clothing being worn by
8 that other person, for the purpose of viewing the body of, or the undergarments worn by, that
9 other person, without the consent or knowledge of that other person, with the intent to arouse,
10 appeal to, or gratify the lust, passions, or sexual desires of that person and invade the privacy
11 of that other person, under circumstances in which the other person has a reasonable expectation
12 of privacy. A violation of this section is a Class 1 misdemeanor. However, a violation of this
13 section is a Class 6 felony if the victim is seventeen years of age or younger and the perpetrator
14 is at least twenty-one years old.

