

## LEGISLATIVE BILL 908

Approved by the Governor March 19, 1996

Introduced by Lindsay, 9

AN ACT relating to crimes and punishments; to amend section 28-101, Reissue Revised Statutes of Nebraska; to prohibit knowing intrusion as provided; to provide penalties; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. (1) It shall be unlawful for any person to knowingly intrude upon any other person without his or her consent or knowledge in a place of solitude or seclusion.

(2) For purposes of this section:

(a) Intrude means the viewing or recording, either by video, audio, or other electronic means, of a person in a state of undress; and

(b) Place of solitude or seclusion means a place where a person would intend to be in a state of undress and have a reasonable expectation of privacy, including, but not limited to, any facility, public or private, used as a restroom, tanning booth, locker room, shower room, fitting room, or dressing room.

(3) Violation of this section is a Class III misdemeanor unless the victim is under the age of eighteen in which case a violation is a Class II misdemeanor. Lack of knowledge as to the victim's age is not a defense to the enhanced penalty under this section.

Sec. 2. Section 28-101, Reissue Revised Statutes of Nebraska, is amended to read:

28-101. Sections 28-101 to 28-1348 and section 1 of this act shall be known and may be cited as the Nebraska Criminal Code.

Sec. 3. Original section 28-101, Reissue Revised Statutes of Nebraska, is repealed.