



Legislation Text

File #: Int 0617-2007, **Version:** A

Proposed Int. No. 617-A

By Council Member Vallone Jr., Gennaro, Gentile and Stewart

A Local Law to amend the administrative code of the city of New York, in relation to creating the offense of voyeurism.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-167 to read as follows:

§10-167. Voyeurism. a. Definitions. The following terms shall have the following meanings:

1. “Place and time when a person has a reasonable expectation of privacy” means a place and time when a reasonable person would believe that he or she could disrobe in privacy, such as in a changing room, fitting room, tanning booth, private residence, hotel room, or restroom, provided, however, that persons visible when viewed with the unaided eye through an uncovered, transparently covered, or partially covered window shall not be deemed to have a reasonable expectation of privacy.

2. “Public place” means a place to which the public or a substantial group of persons has access, and includes, but is not limited to, highways, streets, roads, alleyways, doorways, sidewalks, parking lots, transportation facilities, schools, playgrounds, parks, places of amusement, and hallways, lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence.

3. “Sexual or other intimate parts” means the human male or female genitals, pubic area or buttocks, or the female breast below the top of the nipple, and shall include such part or parts which are covered only by an undergarment.

4. “Views or viewing” means the intentional looking upon of another person for more than a brief

period of time, in other than a casual or cursory manner, for the purpose of personal amusement, entertainment, sexual arousal, sexual gratification, or for the purpose of degrading or abusing the person viewed.

b. Voyeurism in a private place. It shall be unlawful to view another person, without that person's knowledge and consent, at a place and time when a person has a reasonable expectation of privacy, while such person is (1) in a state of undress or partial dress, (2) engaged in sexual intercourse or sexual contact, or (3) urinating or defecating.

c. Voyeurism in a public place. It shall be unlawful for any person to intentionally and repeatedly position him or herself in a public place to view another person's sexual or other intimate parts, while such person is in a public place and without such person's knowledge or consent, when such parts are not otherwise visible to the public.

d. Any person who violates subdivisions b or c of this section shall be guilty of a class B misdemeanor.

§2. This local law shall take effect 90 days after its enactment.

LD 11/15/07