

1 **SHB 1001 - H AMD 0006 ADOPTED 2/5/03**

2 By Representative McMahan

3 On page 2, line 9, after "purpose" insert ", whether private or  
4 commercial,"

5 On page 2, line 16, after "purpose" insert ", whether private or  
6 commercial,"

7 On page 2, after line 35, insert the following:

8 "NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.44  
9 RCW to read as follows:

10 (1) A person who distributes, disseminates, or otherwise discloses  
11 any photograph, motion picture film, digital image, video tape, or any  
12 other recording that the person knows was made or acquired in violation  
13 of RCW 9A.44.115(2)(a) is guilty of a class C felony.

14 (2) A person who distributes, disseminates, or otherwise discloses  
15 any photograph, motion picture film, digital image, video tape, or any  
16 other recording that the person knows was made or acquired in violation  
17 of RCW 9A.44.115(2)(b) is guilty of a gross misdemeanor, unless the  
18 person has previously been convicted under this section, under RCW  
19 9A.44.115 or of a sex offense as defined in RCW 9.94A.030, in which  
20 case the person is guilty of a class C felony."

21 Renumber the remaining sections consecutively and correct the  
22 title.

**EFFECT:** Amends the crimes of voyeurism in the first and second degree to clarify that the crimes may be committed for either the private or commercial purpose of arousing or gratifying anyone's sexual desires.

Makes it a crime to distribute, disseminate, or otherwise disclose any pictures or images that a person knows are made in violation of the voyeurism law. This crime is a class C felony if the distributed images were made in violation of voyeurism in the

first degree. The crime is a gross misdemeanor if the distributed images were made in violation of voyeurism in the second degree, except it is a class C felony if the person has previously been convicted of voyeurism, distribution of voyeuristic materials or a sex offense.