SENATE BILL 348

E1 5lr1791 HB 288/24 – JUD CF HB 437

By: Senator Love

Introduced and read first time: January 16, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

Criminal Law – Visual Surveillance With Prurient Intent – Private Place

1 AN ACT concerning

- FOR the purpose of altering the definition of "private place" as it relates to the prohibition on conducting visual surveillance with prurient intent of an individual without the consent of the individual; and generally relating to the crime of visual surveillance with prurient intent.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Criminal Law
- 9 Section 3–902
- 10 Annotated Code of Maryland
- 11 (2021 Replacement Volume and 2024 Supplement)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 13 That the Laws of Maryland read as follows:
- 14 Article Criminal Law
- 15 3–902.

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- 16 (a) (1) In this section the following words have the meanings indicated.
- 17 (2) "Camera" includes any electronic device that can be used 18 surreptitiously to observe an individual.
- 19 (3) "Female breast" means a portion of the female breast below the top of 20 the areola.
- 21 (4) "Private area of an individual" means the naked or undergarment—clad genitals, pubic area, buttocks, or female breast of an individual.

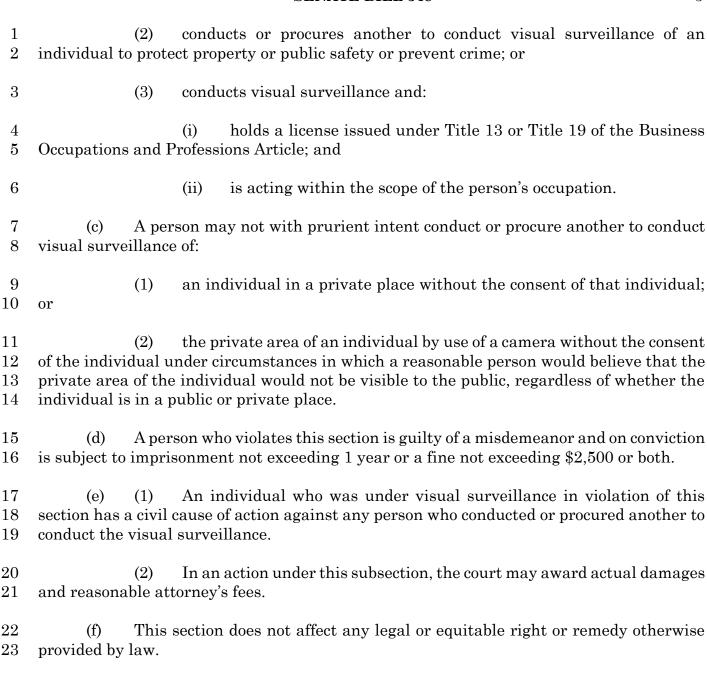
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1 2 3	(5) (i) be expected to fully or INCLUDING in:		ate place" means a room in which a person can reasonably ly disrobe and has a reasonable expectation of privacy,
4		1.	an office, business, or store;
5		2.	a recreational facility;
6		3.	a restaurant or tavern;
7		4.	a hotel, motel, or other lodging facility;
8		5.	a theater or sports arena;
9		6.	a school or other educational institution;
10		7.	a bank or other financial institution;
11 12	custody of a child; [or]	8.	any part of a family child care home used for the care and
13		9.	A RESIDENCE; OR
14 15	accommodation.	10.	another place of PRIVATE OR public use or
16 17	(ii) or restroom.	"Priva	ate place" includes a tanning room, dressing room, bedroom,
18 19	(6) (i) "Visual surveillance" means the deliberate, surreptitious observation of an individual by any means.		
20	(ii)	"Visu	al surveillance" includes surveillance by:
21		1.	direct sight;
22			
		2.	the use of mirrors; or
23		 3. 	the use of mirrors; or the use of cameras.
23 24 25	(iii) unintentional observation	3. "Visus	the use of cameras. al surveillance" does not include a casual, momentary, or
24	unintentional observation	3. "Visu n of an	the use of cameras. al surveillance" does not include a casual, momentary, or



This section does not affect the application of § 3–901 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

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(g)

October 1, 2025.