

1997 Assembly Bill 276

Date of enactment: **June 10, 1998**
Date of publication*: **June 24, 1998**

1997 WISCONSIN ACT 271

AN ACT *to amend* chapter 942 (title); and *to create* 942.08 of the statutes; **relating to:** criminal invasion of privacy and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 942 (title) of the statutes is amended to read:

CHAPTER 942
CRIMES AGAINST REPUTATION,
PRIVACY AND CIVIL LIBERTIES

SECTION 2. 942.08 of the statutes is created to read:

942.08 Invasion of privacy. (1) In this section:

(a) "Nude or partially nude person" means any human being who has less than fully and opaquely covered genitals, pubic area or buttocks, any female human being who has less than a fully opaque covering over any portion of a breast below the top of the nipple, or any male

human being with covered genitals in a discernibly turgid state.

(b) "Private place" means a place where a person may reasonably expect to be safe from surveillance.

(c) "Surveillance device" means any device, instrument, apparatus, implement, mechanism or contrivance used, designed to be used or primarily intended to be used to observe the activities of a person. "Surveillance device" includes a peephole.

(2) Whoever knowingly installs a surveillance device in any private place, or uses a surveillance device that has been installed in a private place, with the intent to observe any nude or partially nude person without the consent of the person observed is guilty of a Class A misdemeanor.

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].