

STATE OF NEW YORK

524--A

Cal. No. 201

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. MAYER, ADDABBO, GOUNARDES, MURRAY, ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to establishing the crime of voyeurism in the first and second degree

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The penal law is amended by adding two new sections 250.51
2 and 250.52 to read as follows:

3 § 250.51 Voyeurism in the second degree.

4 A person is guilty of voyeurism in the second degree when:

5 1. For such person's own amusement, entertainment, profit, sexual
6 arousal or sexual gratification, or for the purpose of degrading or
7 abusing a person, such person (a) trespasses, as defined in section
8 140.05 of this part or (b) surreptitiously views a person using any
9 mechanical, digital, electronic viewing device, camera, cellular phone
10 or any other instrument that can be used to observe a person, for the
11 purpose of viewing a person dressing or undressing or the sexual or
12 other intimate parts of such person at a place and time when such person
13 has a reasonable expectation of privacy, as defined in subdivision one
14 of section 250.40 of this article, without such person's knowledge or
15 consent; or

16 2. For such person's own amusement, entertainment, profit, sexual
17 arousal or sexual gratification, or for the purpose of degrading or
18 abusing a person, such person (a) trespasses, as defined in section

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 140.05 of this part or (b) surreptitiously views a person using any
2 mechanical, digital, electronic viewing device, camera, cellular phone
3 or any other instrument that can be used to observe a person, for the
4 purpose of viewing a person in an identifiable manner engaging in sexual
5 conduct, as defined in subdivision ten of section 130.00 of this part,
6 at a place and time when such person has a reasonable expectation of
7 privacy, as defined in subdivision one of section 250.40 of this arti-
8 cle, without such person's knowledge or consent.

9 Voyeurism in the second degree is a class B misdemeanor.

10 § 250.52 Voyeurism in the first degree.

11 A person is guilty of voyeurism in the first degree when such person
12 commits the crime of voyeurism in the second degree and has been previ-
13 ously convicted within the past ten years of voyeurism in the first or
14 second degree.

15 Voyeurism in the first degree is a class A misdemeanor.

16 § 2. Subdivision 1 of section 250.65 of the penal law, as added by
17 chapter 69 of the laws of 2003, is amended to read as follows:

18 1. The provisions of sections 250.45, 250.50, 250.51, 250.52, 250.55
19 and 250.60 of this article do not apply with respect to any: (a) law
20 enforcement personnel, firefighters, healthcare professionals or correc-
21 tional facility personnel engaged in the conduct of their authorized
22 duties; (b) security system wherein a written notice is conspicuously
23 posted on the premises stating that a video surveillance system has been
24 installed for the purpose of security; or (c) video surveillance devices
25 installed in such a manner that their presence is clearly and immediate-
26 ly obvious.

27 § 3. This act shall take effect immediately.