

§511. Violation of privacy

1. A person is guilty of violation of privacy if, except in the execution of a public duty or as authorized by law, that person intentionally:

A. Commits a civil trespass on property with the intent to overhear or observe any person in a private place; [PL 1997, c. 467, §1 (AMD).]

B. Installs or uses in a private place without the consent of the person or persons entitled to privacy in that place, any device for observing, photographing, recording, amplifying or broadcasting sounds or events in that place; [PL 1997, c. 467, §1 (AMD).]

C. Installs or uses outside a private place without the consent of the person or persons entitled to privacy therein any device for observing, photographing, hearing, recording, amplifying or broadcasting images or sounds originating in that place that would not ordinarily be visible, audible or comprehensible outside that place; [PL 2023, c. 227, §1 (AMD).]

D. Engages in visual surveillance in a public place by means of mechanical or electronic equipment with the intent to observe or photograph, or record, amplify or broadcast an image of any portion of the body of another person present in that place when that portion of the body is in fact concealed from public view under clothing and a reasonable person would expect it to be safe from surveillance; [PL 2023, c. 227, §2 (AMD).]

E. Violates paragraph A, B, C or D and the other person subject to a violation of privacy has not in fact attained 16 years of age; or [PL 2023, c. 227, §3 (NEW).]

F. Violates paragraph A, B, C or D for the purpose of arousing or gratifying the sexual desire of that person or another person, and the person subject to a violation of privacy has not in fact attained 16 years of age. [PL 2023, c. 227, §4 (NEW).]

[PL 2023, c. 227, §§1-4 (AMD).]

1-A. It is a defense to a prosecution under subsection 1, paragraph D that the person subject to surveillance had in fact attained 14 years of age and had consented to the visual surveillance. [PL 1997, c. 467, §2 (NEW).]

2. As used in this section, "private place" means a place where one may reasonably expect to be safe from surveillance, including, but not limited to, changing or dressing rooms, bathrooms and similar places.

[PL 2007, c. 688, §2 (AMD).]

3. Violation of privacy is a Class D crime.

[PL 1975, c. 499, §1 (NEW).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1997, c. 467, §§1,2 (AMD). PL 1999, c. 116, §1 (AMD). PL 2007, c. 688, §2 (AMD). PL 2021, c. 373, §1 (AMD). PL 2023, c. 227, §§1-4 (AMD).

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