

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

{2}-{i}--"PRIVATE-PLACE"--MEANS-A-PLACE-WHERE-A--PERSON MAY-REASONABLY-EXPECT-TO-BE-SAFE-FROM-CASUAL-OR-HOSTILE-INTRUSION OR-SURVEILLANCE-

{ii}--"PRIVATE-PLACE"--INCLUDES-DRESSING-ROOMS-IN RETAIL--STORES--AND--RESTROOMS-IN-BUILDINGS-GENERALLY-OPEN-TO-THE PUBLIC-

{3}--"VISUAL---SURVEILLANCE"---MEANS---DIRECT----SIGHT SURVEILLANCE,--THE-USE-OF-MIRRORS,--OR-THE-USE-OF-CAMERAS-OR-OTHER ELECTRONIC-DEVICES-

(2) "PRIVATE PLACE" MEANS A DRESSING ROOM OR RESTROOM IN A RETAIL STORE.

(3) "VISUAL SURVEILLANCE" MEANS:

(I) DIRECT SIGHT SURVEILLANCE;

(II) THE USE OF MIRRORS;

(III) THE USE OF CAMERAS; OR

(IV) THE USE OF OTHER ELECTRONIC DEVICES THAT CAN BE UTILIZED TO SURREPTITIOUSLY OBSERVE A PERSON.

(B) A PERSON MAY NOT CONDUCT OR PROCURE A PERSON TO CONDUCT ANY VISUAL SURVEILLANCE OF ANOTHER PERSON WHO IS IN A PRIVATE PLACE WITHOUT THE CONSENT OF THE PERSON IN THE PRIVATE PLACE.

(C) IT IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SECTION THAT THE PERSON CHARGED IS THE OWNER OF THE PREMISES OF THE PRIVATE PLACE. HOWEVER, OWNERSHIP MAY BE CONSIDERED TO DETERMINE IF THE OCCUPANT OF THE PRIVATE PLACE HAD A REASONABLE EXPECTATION OF SAFETY FROM CASUAL OR HOSTILE INTRUSION OR SURVEILLANCE AT THE TIME OF THE ALLEGED VIOLATION.

(D) ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, IS SUBJECT TO A FINE NOT TO EXCEED \$5,000 \$1,000 OR IMPRISONMENT NOT TO EXCEED 30 DAYS, OR BOTH.

(E) ANY PERSON WHO WAS UNDER SURVEILLANCE IN VIOLATION OF THIS SECTION HAS A CIVIL CAUSE OF ACTION AGAINST ANY PERSON WHO CONDUCTED OR PROCURED A PERSON TO CONDUCT THE SURVEILLANCE, AND IS ENTITLED TO RECOVER FROM SUCH PERSON-

{1}--ACTUAL-DAMAGES-NOT-LESS-THAN--LIQUIDATED--DAMAGES OF-\$1,000-PER-INCIDENT;

{2}--PUNITIVE-DAMAGES,--AND