

579A.

(A) IN THIS SECTION, "CAMERA" INCLUDES ANY ELECTRONIC DEVICE THAT CAN BE USED TO OBSERVE SURREPTITIOUSLY A PERSON.

(B) THIS SECTION DOES NOT APPLY TO:

(1) AN ADULT RESIDENT OF A PRIVATE RESIDENCE;

(2) A PERSON WHO PLACES OR PROCURES ANOTHER TO PLACE A CAMERA ON REAL PROPERTY AND WHO DOES NOT HAVE THE INTENT OF CONDUCTING DELIBERATE SURREPTITIOUS OBSERVATION OF A PERSON INSIDE THE PRIVATE RESIDENCE;

(3) A PERSON WHO HAS THE CONSENT OF AN ADULT RESIDENT, OR THE RESIDENT'S LEGAL GUARDIAN, TO PLACE A CAMERA ON REAL PROPERTY FOR PURPOSES OF CONDUCTING DELIBERATE SURREPTITIOUS OBSERVATION OF A PERSON INSIDE THE PRIVATE RESIDENCE;

(4) ANY OTHERWISE LAWFUL OBSERVATION WITH A CAMERA CONDUCTED BY A LAW ENFORCEMENT OFFICER WHILE IN PERFORMANCE OF THE OFFICER'S OFFICIAL DUTIES;

(5) FILMING BY OR FOR THE PRINT OR BROADCAST MEDIA USING A CAMERA THAT IS NOT SECRETED FROM VIEW;

(6) ANY PORTION OF A PRIVATE RESIDENCE USED FOR BUSINESS PURPOSES, INCLUDING ANY PORTION OF A DAY CARE HOME USED FOR THE CARE AND CUSTODY OF A CHILD; OR

(7) FILMING OF A PRIVATE RESIDENCE BY USING A CAMERA THAT IS NOT LOCATED ON THE REAL PROPERTY ON WHICH THE PRIVATE RESIDENCE IS LOCATED.

(C) A PERSON MAY NOT PLACE OR PROCURE ANOTHER TO PLACE A CAMERA ON REAL PROPERTY ON WHICH IS LOCATED A PRIVATE RESIDENCE FOR PURPOSES OF CONDUCTING DELIBERATE SURREPTITIOUS OBSERVATION OF A PERSON INSIDE THE PRIVATE RESIDENCE.

(D) (1) IT IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SECTION THAT THE PERSON CHARGED IS THE OWNER OF THE PRIVATE RESIDENCE, IF THE OWNER IS NOT AN ADULT RESIDENT OF THE PRIVATE RESIDENCE.

(2) A GOOD FAITH RELIANCE ON A COURT ORDER IS A COMPLETE DEFENSE TO ANY CIVIL OR CRIMINAL ACTION BROUGHT UNDER THIS SECTION.

(E) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN ~~30 DAYS~~ 6 MONTHS OR BOTH.

(F) A PERSON IN A PRIVATE RESIDENCE WHO WAS OBSERVED BY A CAMERA IN VIOLATION OF THIS SECTION HAS A CIVIL CAUSE OF ACTION AGAINST ANY PERSON WHO PLACED THE CAMERA OR PROCURED ANOTHER TO PLACE THE CAMERA