

- (i) 1. an office, business, or store;
- (ii) 2. a recreational facility;
- (iii) 3. a restaurant or tavern;
- (iv) 4. a hotel, motel, or other lodging facility;
- (v) 5. a theater or sports arena;
- (vi) 6. a school or other educational institution;
- (vii) 7. a bank or other financial institution;
- (viii) 8. any part of a day care home used for the care and custody of a child; or
- (ix) 9. another place of public use or accommodation.

(II) "PRIVATE PLACE" INCLUDES A TANNING ROOM, DRESSING ROOM, BEDROOM, OR RESTROOM.

(4) (i) "Visual surveillance" means the deliberate, surreptitious observation of an individual by any means.

(ii) "Visual surveillance" includes surveillance by:

- 1. direct sight;
- 2. the use of mirrors; or
- 3. the use of cameras.

(iii) "Visual surveillance" does not include a casual, momentary, or unintentional observation of an individual.

(b) This section does not apply to a person who without prurient intent:

- (1) conducts filming by or for the print or broadcast media;
- (2) conducts or procures another to conduct visual surveillance of an individual to protect property or public safety or prevent crime; OR ~~or~~
- (3) conducts visual surveillance and:

(i) holds a license issued under Title 13 or Title 19 of the Business Occupations and Professions Article; and

(ii) is acting within the scope of the person's occupation, OR

(4) CONDUCTS OTHERWISE LAWFUL VISUAL SURVEILLANCE IN A HEALTH CARE SETTING.

(c) A person may not with prurient intent conduct or procure another to conduct visual surveillance of an individual in a private place without the consent of that individual.