

(5) FILMING CONDUCTED BY A PERSON BY OR FOR THE PRINT OR BROADCAST MEDIA THROUGH USE OF A CAMERA THAT IS NOT SECRETED FROM VIEW;

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

(7) FILMING OF A PRIVATE RESIDENCE BY A PERSON THROUGH USE OF A CAMERA THAT IS NOT LOCATED ON THE REAL PROPERTY WHERE THE PRIVATE RESIDENCE IS LOCATED.

(C) PROHIBITED.

A PERSON MAY NOT PLACE OR PROCURE ANOTHER TO PLACE A CAMERA ON REAL PROPERTY WHERE A PRIVATE RESIDENCE IS LOCATED TO CONDUCT DELIBERATE SURREPTITIOUS OBSERVATION OF AN INDIVIDUAL INSIDE THE PRIVATE RESIDENCE.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

(E) PROHIBITED DEFENSE.

SUBJECT TO SUBSECTION (B)(1) OF THIS SECTION, IT IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SECTION THAT THE DEFENDANT OWNS THE PRIVATE RESIDENCE.

(F) AVAILABLE DEFENSE.

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

(G) CIVIL ACTION.

(1) AN INDIVIDUAL WHO WAS OBSERVED THROUGH THE USE OF A CAMERA IN VIOLATION OF THIS SECTION HAS A CIVIL CAUSE OF ACTION AGAINST ANY PERSON WHO PLACED OR PROCURED ANOTHER TO PLACE THE CAMERA ON THE REAL PROPERTY.

(2) IN AN ACTION UNDER THIS SUBSECTION, THE COURT MAY AWARD DAMAGES AND REASONABLE ATTORNEY'S FEES.

(H) OTHER REMEDIES.

THIS SECTION DOES NOT AFFECT ANY LEGAL OR EQUITABLE RIGHT OR REMEDY OTHERWISE PROVIDED BY LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 579A.