

1 H.878

2 Senator Baruth moves to amend the bill by adding two new sections to be
3 Secs. 49, and 50 to read as follows:

4 Sec. 49. 13 V.S.A. § 3835 is added to read:

5 § 3835. SURVEILLANCE DEVICES; PLACEMENT ON PRIVATE
6 PROPERTY WITHOUT CONSENT OF OWNER; CIVIL PENALTY

7 (a) A person shall not place a camera or other surveillance device on any
8 privately owned real property with the intent to conduct surveillance on the
9 person or the property unless the person has obtained prior written consent
10 from the property owner.

11 (b) A person who violates this section shall be assessed a civil penalty of
12 not more than:

13 (1) \$50.00 for a first violation; or

14 (2) \$250.00 for a second or subsequent violation.

15 (c) As used in this section:

16 (1) “Property owner” means a person who owns, leases, licenses, or
17 otherwise controls ownership or use of land, or an employee or agent of that
18 person.

19 (2) “Surveillance” means :

20 (A) with respect to an owner or occupant of privately owned real
21 property, the observation of the person with sufficient visual clarity to be able

1 to obtain information about the person’s identity, habits, conduct, movements,
2 or whereabouts; or

3 (B) with respect to privately owned real property, the observation of
4 the property’s physical improvements with sufficient visual clarity to be able to
5 determine unique identifying features about the property or information about
6 its owners or occupants.

7 (3) “Surveillance device” means a device intended to be used to secretly
8 observe the activities of another person for the purpose of spying upon and
9 invading the privacy of the person.

10 Sec. 50. 4 V.S.A. § 1102 is amended to read:

11 § 1102. JUDICIAL BUREAU; JURISDICTION

12 * * *

13 (b) The Judicial Bureau shall have jurisdiction of the following matters:

14 * * *

15 (32) Violations of 13 V.S.A. § 3835, relating to placing a camera or
16 other surveillance device on privately owned real property without the owner’s
17 consent.

18
19 and by renumbering the remaining section to be numerically correct.