

TITLE 18
CRIMES AND PUNISHMENTS

CHAPTER 69
IDAHO ANTI-CAMCORDER PIRACY ACT

18-6901. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho Anti-Camcorder Piracy Act."

[18-6901, added 2005, ch. 239, sec. 1, p. 742.]

18-6902. DEFINITIONS. As used in this chapter:

(1) "Audiovisual recording function" means the capability of a device to record or transmit a motion picture or any part thereof by means of any technology now known or later developed.

(2) "Motion picture theater" means a movie theater, screening room, or other venue that is being utilized primarily for the exhibition of a motion picture at the time of the offense.

[18-6902, added 2005, ch. 239, sec. 1, p. 742.]

18-6903. PROHIBITION AGAINST PIRACY. Any person who, without the written consent of the motion picture theater owner, knowingly operates the audiovisual recording function of any device in a motion picture theater while a motion picture is being exhibited for the purpose of recording the motion picture being exhibited shall be guilty of a misdemeanor and upon conviction shall be imprisoned for not more than one (1) year, fined not more than five thousand dollars (\$5,000), or shall be punished by both such fine and imprisonment.

[18-6903, added 2005, ch. 239, sec. 1, p. 742.]

18-6904. AUTHORIZED ACTIONS -- IMMUNITY. (1) The owner or lessee of a motion picture theater, or the authorized agent or employee of such owner or lessee may request a person on his premises to place or keep in full view any audiovisual recording device or related item such person may have operated, or which the owner or lessee or authorized agent or employee of such owner or lessee has reason to believe he may have operated, in violation of the provisions of this chapter. No merchant shall be criminally or civilly liable on account of having made such a request.

(2) The owner or lessee of a motion picture theater, or the authorized agent or employee of such owner or lessee, who has reason to believe that any audiovisual recording device or related item has been operated by a person in violation of this chapter and that he can recover such audiovisual recording device or related item by taking such a person into custody and detaining him may, for the purpose of attempting to effect such recovery or for the purpose of informing a peace officer of the circumstances of such detention, take the person into custody and detain him, in a reasonable manner and for a reasonable length of time.

[18-6904, added 2005, ch. 239, sec. 1, p. 742.]

18-6905. APPLICABILITY. (1) This chapter does not prevent any lawfully authorized investigative, law enforcement, protective, or intelli-

gence-gathering employee or agent of the federal government, the state or a political subdivision of the state, from operating any audiovisual recording device in a motion picture theater as part of lawfully authorized investigative, law enforcement, protective, or intelligence-gathering activities.

(2) Nothing in this chapter shall prevent prosecution instead under other applicable law providing a greater penalty.

[18-6905, added 2005, ch. 239, sec. 1, p. 743.]