

thigh) (buttocks) of _____, with [(_____'s body part) (an object), to wit: _____] with an intent to [(abuse) (humiliate) (harass) (degrade) _____] [(arouse) (gratify) the sexual desire of _____], when _____ was incapable of consenting to the sexual contact because (he) (she) [was impaired by (a drug, to wit: _____) (an intoxicant, to wit: _____) (_____)] [had a (mental disease, to wit: _____) (mental defect, to wit: _____) (physical disability, to wit: _____)] and the accused (knew) (reasonably should have known) of that condition.”

(k) Paragraph 63.b. is amended to read as follows:

“b. *Elements.*

(1) *Indecent viewing.*

- (a) That the accused, without legal justification or lawful authorization, knowingly and wrongfully viewed the private area of another person;
- (b) That said viewing was without the other person's consent; and
- (c) That said viewing took place under circumstances in which the other person had a reasonable expectation of privacy.

(2) *Indecent recording.*

- (a) That the accused, without legal justification or lawful authorization, knowingly recorded (photographed, videotaped, filmed, or recorded by any means) the private area of another person;
- (b) That said recording was without the other person's consent; and
- (c) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(3) *Broadcasting of an indecent recording.*

- (a) That the accused, without legal justification or lawful authorization, knowingly broadcast a certain recording of another person's private area;
- (b) That said recording was made without the other person's consent;
- (c) That the accused knew or reasonably should have known that the recording was made without the other person's consent;
- (d) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and
- (e) That the accused knew or reasonable should have known that said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(4) *Distribution of an indecent recording.*

- (a) That the accused, without legal justification or lawful authorization, knowingly distributed a certain recording of another person's private area;
- (b) That said recording was made without the other person's consent;
- (c) That the accused knew or reasonably should have known that said recording was made without the other person's consent;
- (d) That said recording was made under circumstances in which the other person had a reasonable expectation of privacy; and
- (e) That the accused knew or reasonably should have known that said recording was made under circumstances in which the other person had a reasonable expectation of privacy.

(5) *Forcible pandering.*

That the accused compelled another person to engage in an act of prostitution with any