

STATE AUDIO AND VISUAL SURVEILLANCE LAWS

Executive Summary

October 2018

Overview

Of the fifty-one jurisdictions surveyed, only Vermont has no statutory provision governing the recording of oral conversations. All of the jurisdictions in some respect control the visual recording of persons and/or places in specified circumstances.

The surveyed jurisdictions include the fifty states and the District of Columbia.

This survey does not include surveillance by governmental entities or in public places. It also does not include laws relating to the use of unmanned aircraft (drones) to capture images or sound. For more information on that topic see the Drones Annual Report (Archived) in the *State Issues Tracker*.

Oral Communications

Eleven states¹, or twenty-two percent of the fifty states that regulate the recording of oral communications require the permission of all parties to the conversation before it can be recorded. Three of those states recognize exceptions to their all-party consent requirement:

- Washington deems consent to be obtained whenever one party has announced to all other parties to the conversation that it is about to be recorded and the announcement itself is recorded.
- California's consent requirement applies only to confidential communications and excludes communications in any circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.
- In Oregon an in-person, oral communication may not be recorded unless all of the parties are informed of the recording; for electronic communications, a person may record if they either are a party to the communication or one of the parties has consented to the recording.

In those states that require the consent of only one person before a communication may be recorded, generally the requirement is satisfied when the recording person is a party to the communication or when one of the parties to the communication has given prior consent. Three² of the one-party consent states considered, but did not pass, legislation in 2018 that would have made them all-party consent states.

¹ California, Florida, Illinois, Maryland, Massachusetts, Michigan, Montana, New Hampshire, Oregon, Pennsylvania, and Washington.

² Oklahoma, Tennessee, and Utah.

Video Recording

The vast majority of jurisdictions that criminalize nonconsensual videotaping of a person require that the person be in an area in which that person has a reasonable expectation of privacy. Nine states³ make it a crime only if the videotaping is for the purpose of sexual gratification. Nineteen states⁴, or thirty-seven percent of the surveyed jurisdictions, prohibit only nonconsensual videotaping of the intimate parts of another person or of a nude person.

Of the seven states⁵ that exempt video security surveillance systems from their prohibition on videotaping, five⁶ do so only if notice of the system is posted. Louisiana's 2018 law governing limited videotaping in short-term rental structures, specifies the notice language that must be used.

³ Idaho, Iowa, Louisiana, Mississippi, North Carolina, North Dakota, Oklahoma, Tennessee, and Washington.

⁴ Alaska, Colorado, Kansas, Kentucky, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Virginia, West Virginia, and Wisconsin.

⁵ Alaska, Arizona, District of Columbia, Florida, Georgia, Michigan, and New York.

⁶ Alaska, Arizona, District of Columbia, Florida, and New York.

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
AL	1	<p>The consent of at least one party to a communication is needed to record a private conversation, though, there is no need to obtain consent to record conversations held in public places, where there is no reasonable expectation of privacy.</p> <p>Secret observation or photography while trespassing on private property is not allowed, however, the use of any such recording devices positioned in areas to which the public has access is not criminalized.</p>	<p>A person commits the crime of criminal eavesdropping (to overhear, record, amplify or transmit any part of the private communication of others without the consent of at least one of the persons engaged in the communication) if he intentionally uses any device to eavesdrop, whether or not he is present at the time.</p> <p>Ala. Code § 13A-11-31</p>	<p>A person commits the crime of criminal surveillance if he intentionally engages in surveillance while trespassing in a private place (a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance, but such term does not include a place to which the public or a substantial group of the public has access.). Ala. Code § 13A-11-32</p>
AK	1	<p>The consent of at least one party to a communication is needed to record a conversation.</p> <p>A person may not photograph or record an intimate part of a person without the consent of that person.</p>	<p>A person may not use an eavesdropping device (any device capable of being used to hear or record oral conversation whether the conversation is conducted in person, by telephone, or by any other means) to hear or record all or any part of an oral conversation without the consent of a party to the conversation.</p> <p>Alaska Stat. Ann. § 42.20.310</p>	<p>A person may not knowingly view, or produce a picture of, the private exposure of the genitals, anus, or female breast of another person and the view or production is without the knowledge or consent of the person viewed or shown in the picture, if the person viewed or shown is at least 13 years of age. However, it is an affirmative defense that the viewing or photography was conducted as a security surveillance system, notice of the viewing or photography was posted, and any viewing or use of pictures produced is done only in the interest of crime prevention or prosecution. Alaska Stat. Ann. § 11.61.123</p>

AZ	1	<p>An individual not involved in or present during a communication must have the consent of at least one party to record an electronic or oral communication.</p> <p>Surveillance is allowed for security purposes so long as notice is posted. Child monitoring devices (ex. baby cam) are allowed when installed in a person's own residence for the purpose of child supervision or safety monitoring.</p>	<p>A person may not intentionally intercept (the aural or other acquisition of the contents of any wire, electronic or oral communication through the use of any electronic, mechanical or other device) a conversation or discussion at which he is not present, or aids, authorizes, employs, procures or permits another to so do, without the consent of a party to such conversation or discussion. Ariz. Rev. Stat. Ann. § 13-3005</p>	<p>Photographing, videotaping, filming or digitally recording for security purposes is allowed if notice of the use of photographing, videotaping, filming or digital recording equipment is clearly posted in the location and the location is one in which the person has a reasonable expectation of privacy. Additionally, the use of a child monitoring device (a device that is capable of transmitting an audio or audiovisual signal and that is installed or used in a residence for child supervision or safety monitoring by any parent, guardian or other responsible person in the person's own residence) is allowed. Ariz. Rev. Stat. Ann. § 13-3019</p>
----	---	---	--	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
AR	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>It is prohibited to secretly view or videotape a person in any place where that person is in a private area out of public view, has a reasonable expectation of privacy, and has not consented to the observation.</p>	<p>It is unlawful for a person to intercept a wire, landline, oral, telephonic communication, or wireless communication, and to record or possess a recording of the communication unless the person is a party to the communication or one of the parties to the communication has given prior consent to the interception and recording. Ark. Code Ann. § 5-60-120</p>	<p>It is unlawful to use any camera, videotape, photo-optical, photoelectric, or any other image recording device for the purpose of secretly observing, viewing, photographing, filming, or videotaping a person present in a residence, place of business, school, or other structure, or any room or particular location within that structure, if that person: (1) is in a private area out of public view; (2) has a reasonable expectation of privacy; and (3) has not consented to the observation. Ark. Code Ann. § 5-16-101</p>
CA	All	<p>All parties to any confidential communication must give consent to be recorded, however, any conversations made in public places, government proceedings, or in circumstances where the participants of the conversation could reasonably expect to be overheard or recorded do not require consent.</p> <p>It is prohibited to secretly visually record a person while in any area where the person has a reasonable expectation of privacy.</p>	<p>It is unlawful for a person to, intentionally and without the consent of all parties to a confidential communication (any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto, but excludes a communication made in a public gathering or in any legislative, judicial, executive or administrative proceeding open to the public, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded), by means of any electronic amplifying or recording device, eavesdrop upon or record the confidential communication, whether the communication is carried on among the parties in the presence of one another. Cal. Penal Code § 632</p>	<p>It is unlawful for a person to look through a hole or opening, or otherwise view, by means of any instrumentality, including, but not limited to, a periscope, telescope, binoculars, camera, motion picture camera, camcorder, or mobile phone, the interior of a bedroom, bathroom, changing room, fitting room, dressing room, or tanning booth, or the interior of any other area in which the occupant has a reasonable expectation of privacy, with the intent to invade the privacy of a person or persons inside. Cal. Penal Code § 647(j)</p>

CO	1	<p>The consent of at least one participant to a conversation is required before any recording can take place, unless such eavesdropping device is used on one's own premises for security or business purposes and notice is given to the public.</p> <p>The state prohibits under its privacy laws anyone from knowingly observing or taking any visual images of another person's body without consent in situations where the subject of the filming or photography has a reasonable expectation of privacy.</p>	<p>Any person not visibly present during a conversation or discussion commits eavesdropping if he knowingly overhears or records such conversation or discussion without the consent of at least one of the principal parties thereto, or attempts to do so. Colo. Rev. Stat. § 18-9-304</p> <p>This does not prevent any person from using eavesdropping devices on his own premises for security or business purposes if reasonable notice of the use of such devices is given to the public. Colo. Rev. Stat. § 18-9-305</p>	<p>A person who knowingly observes or takes a photograph (includes a photograph, motion picture, videotape, live feed, or other mechanically, electronically, or digitally reproduced visual matter) of another person's intimate parts without that person's consent, in a situation where the person observed or photographed has a reasonable expectation of privacy, commits criminal invasion of privacy. Colo. Rev. Stat. § 18-7-801</p>
----	---	---	---	--

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
CT	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not knowingly photograph, film or record in any way another person's image without consent in situations where the person is unaware of the filming, not in plain view and has a reasonable expectation of privacy.</p>	<p>A person is guilty of eavesdropping when he unlawfully engages in wiretapping or mechanical overhearing of a conversation, which is the intentional overhearing or recording of a conversation or discussion, without the consent of at least one party thereto, by a person not present thereat, by means of any instrument, device or equipment. Conn. Gen. Stat. §§ 53a-187</p> <p>However, Connecticut recognizes actions for illegal recording of private telephonic communications, in which civil cases a person may be liable if an oral private telephone conversation is recorded without (1) consent from <i>all</i> parties prior to the conversation; (2) verbal notification which is recorded at the beginning of the conversation; or (3) use of an automatic tone warning device during the recording. Conn. Gen. Stat. § 52-570d</p>	<p>A person is guilty of voyeurism when, with malice, such person knowingly photographs, films, videotapes or otherwise records the image of another person without the knowledge and consent of such other person, while such other person is not in plain view, and under circumstances where such other person has a reasonable expectation of privacy. Conn. Gen. Stat. § 53a-189a</p>
DE	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not install a camera or other recording device in a private place, without consent of the person(s) who are entitled to privacy there.</p>	<p>A person may intercept a wire, oral or electronic communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing any criminal or tortious act in violation of the constitutions or laws of the United States Delaware or any other state, or any political subdivision thereof. Del. Code Ann. tit. 11, § 2402(c)(4)</p>	<p>A person may not install in any private place, without consent of the person or persons entitled to privacy there, any device for observing, photographing, recording, amplifying or broadcasting sounds or events in that place; or install or use outside a private place any device for hearing, recording, amplifying or broadcasting sounds originating in that place which would not ordinarily be audible or comprehensible outside, without the consent of the person or persons entitled to privacy there. Del. Code Ann. tit. 11, § 1335(2)-(3)</p>

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
D.C.	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may have monitoring devices in their own home for the purpose of security.</p>	<p>A person may intercept a wire or oral communication, where such person is a party to the communication, or where one of the parties to the communication has given prior consent to such interception, unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States, any state, or the District of Columbia, or for the purpose of committing any other injurious act. D.C. Code § 23-542(b)(3)</p>	<p>It is unlawful for a person to electronically record, without the express and informed consent of the individual being recorded, an individual who is: using the bathroom; undressed; or engaging in sexual activity. A person is not prohibited from security monitoring one's own home or security monitoring in any building where there are signs prominently displayed informing persons that the entire premises or designated portions of the premises are under surveillance. D.C. Code § 22-3531(c), (e)(2)-(3)</p>

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
FL	All	<p>All parties must consent to the recording and or disclosure of the contents of any electronic, oral or wire communication.</p> <p>A person may have a video surveillance system if written notice is clearly posted on the premises or the presence of the device is clearly and immediately obvious.</p>	<p>It is lawful for a person to intercept a wire, oral, or electronic communication (“Oral communication” means any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation and does not mean any public oral communication uttered at a public meeting or any electronic communication) when all of the parties to the communication have given prior consent to such interception. Fla. Stat. § 934.03(2)(d)</p>	<p>A person may have a security system when a written notice is conspicuously posted on the premises stating that a video surveillance system has been installed for the purpose of security for the premises, or have a video surveillance device that is installed in such a manner that the presence of the device is clearly and immediately obvious. Fla. Stat. § 810.145(5)(b)-(c)</p>
GA	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>The use of a camera is prohibited without consent of all persons observed for any events that happen in a private place. However, a property owner may use a recording device for security purposes to record the activities of persons in areas where there is no reasonable expectation of privacy.</p>	<p>A person may intercept a wire, oral, or electronic communication where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception. Ga. Code Ann. § 16-11-66(a)</p>	<p>It is unlawful for any person, through the use of any device, without the consent of all persons observed, to observe, photograph, or record the activities of another which occur in any private place and out of public view. However, it is not unlawful for an owner or occupier of real property to use for security purposes, crime prevention, or crime detection any device to observe, photograph, or record the activities of persons who are on the property or an approach thereto in areas where there is no reasonable expectation of privacy. Ga. Code Ann. § 16-11-62(2)</p>
HI	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not install or use a recording device in a private place without consent of the persons entitled to privacy therein.</p>	<p>It is not unlawful for a person not acting under color of law to intercept a wire, oral, or electronic communication when the person is a party to the communication or when one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing any criminal or tortious act that violates the Constitution or laws of the United States or of Hawaii. Haw. Rev. Stat. § 803- 42(b)(3)(A)</p> <p>It is unlawful to install or use outside a private place any device for hearing, recording, amplifying, or broadcasting sounds originating in that place which</p>	<p>It is unlawful to install or use, or both, in any private place, without consent of the person or persons entitled to privacy therein, any means or device for observing, recording, amplifying, or broadcasting sounds or events in that place. Haw. Rev. Stat. § 711-1111(d)</p>

			<p>would not ordinarily be audible or comprehensible outside, without the consent of the person or persons entitled to privacy therein. Haw. Rev. Stat. § 711-1111(e)</p>	
--	--	--	---	--

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
ID	1	<p>A person may record oral conversations where at least one of the participants has consented to the recording.</p> <p>The use of video devices for sexual gratification on a person who has a reasonable expectation of privacy is not permitted without that person's consent.</p>	<p>It is lawful for a person to intercept a wire, electronic or oral communication when one of the parties to the communication has given prior consent to such interception. Though, it is unlawful to intercept any communication for the purpose of committing any criminal act. Idaho Code Ann. § 18-6702(2)(d)-(e)</p>	<p>It is unlawful, for the intent of sexual gratification, to install or permit an imaging device at a place where a person would have a reasonable expectation of privacy (a place where a person might reasonably expect to be safe from casual or hostile surveillance by an imaging device), without the knowledge or consent of the person using such place. Idaho Code Ann. § 18-6609(2)</p>
IL	All	<p>All parties to a conversation must give consent before one can record any part of an oral conversation.</p> <p>A person may not videotape another without that person's consent in a restroom, tanning bed/salon, locker room, changing room or hotel bedroom, or in the other person's residence.</p>	<p>A person may not use an eavesdropping device, in a surreptitious manner, for the purpose of overhearing, transmitting, or recording all or any part of any private conversation to which he or she is not a party unless he or she does so with the consent of all of the parties to the private conversation. 720 Ill. Compiled Stat. 5/14-2(a)(1). One or more of the parties must intend the communication to be of a private nature under circumstances reasonably justifying that expectation. 720 Ill. Compiled Stat. 5/14-1(d)</p>	<p>It is unlawful for any person to knowingly make a video record or transmit live video of another person in a restroom, tanning bed, tanning salon, locker room, changing room, hotel bedroom, or in that other person's residence without that person's consent. 720 Ill. Compiled Stat. 5/26-4(a)-(a-5)</p>
IN	1	<p>An individual has the right to record or disclose the contents of an electronic or telephonic communication that they are a party to or if one of the parties has given prior consent to the recording of said communications.</p> <p>A person may not place surveillance equipment on another person's private property without the owner's or tenant's consent.</p>	<p>"Interception" means the intentional recording or acquisition of the contents of an electronic communication by a person other than a sender or receiver of that communication, without the consent of the sender or receiver, by means of any instrument, device, or equipment. Ind. Code Ann. § 35-31.5-2-176. A person whose communications are intercepted, disclosed, or used in violation of the warrant requirement has a civil cause of action against a person who intercepts, discloses, uses, or procures another person to intercept, disclose, or use a communication in violation of article 35-31.5 which requires a warrant to legally intercept a communication. Ind. Code Ann. §35-33.5-5-4</p>	<p>A person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data of any kind while unattended on the private property of another person without the consent of the owner or tenant commits a Class A misdemeanor. Ind. Code Ann. § 35-46-8.5-1</p>

IA	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording. The use of a surveillance or monitoring system to detect or prevent criminal activity is permissible.</p> <p>A person may not secretly view, photograph or film a person who is either fully or partially nude without consent, so long as that subject has a reasonable expectation of privacy.</p>	<p>Any person, with no right or authority to do so, who by any electronic or mechanical means listens to, records, or otherwise intercepts a conversation or communication of any kind, commits a serious misdemeanor; provided, that the sender or recipient of a message or one who is openly present and participating in or listening to a communication may record such message or communication. This prohibition also does not apply to the use of a "monitoring system" which is defined as "a digital video or audio streaming or recording device that records, listens to, or otherwise intercepts video or audio communications in order to provide proof of or prevent criminal activity that is placed outside of a person's dwelling or other structure that is not in a shared hallway and is on real property owned or leased by the person. Iowa Code Ann. § 727.8</p> <p>A person not acting under color of law may intercept a wire, oral, or electronic communication if the person is a party to the communication or if one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing a criminal or tortious act or any other injurious act. Iowa Code Ann. § 808B.2(2)(c)</p> <p>Additionally, a property owner or lessee may intercept oral communications with a surveillance system installed on the property with the knowledge and consent of all owners and lessees which system is used to detect or prevent criminal activity on the property or in an area accessible to the general public in the immediate vicinity of the property. Iowa Code Ann. § 808B.2(2)(d)</p>	<p>A person who knowingly views, photographs, or films another person, for the purpose of arousing or gratifying the sexual desire of any person, commits invasion of privacy if all of the following apply: (1) the other person does not have knowledge about and does not consent or is unable to consent to being viewed, photographed, or filmed; (2) the other person is in a state of full or partial nudity; and (3) the other person has a reasonable expectation of privacy while in a state of full or partial nudity. Iowa Code Ann. § 709.21</p>
----	---	---	--	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
KS	1	<p>A person may not use any device to listen to, record, or amplify a private conversation in a private place without the consent of at least one party.</p> <p>A person may not film or photograph another person who is nude or in a state of undress without the person's consent in a place where the person has a reasonable expectation of privacy.</p>	<p>Breach of privacy is knowingly and without lawful authority: (1) intercepting, without the consent of the sender or receiver, a message by telephone, telegraph, letter or other means of private communication; or (2) installing or using outside or inside a private place any device for hearing, recording, amplifying or broadcasting sounds originating in such place, which sounds would not ordinarily be audible or comprehensible without the use of such device, without the consent of the person or persons entitled to privacy therein. Kan. Stat. Ann. § 21-6101(a)(1), (4)</p> <p>"Private place" is a place where one may reasonably expect to be safe from uninvited intrusion or surveillance. Kan. Stat. Ann. § 21-6101(f)</p>	<p>Breach of privacy is knowingly and without lawful authority installing or using a concealed camcorder, motion picture camera or photographic camera of any type, to secretly videotape, film, photograph or record by electronic or other means, another, identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to invade the privacy of that other person, under circumstances in which the other person has a reasonable expectation of privacy. Kan. Stat. Ann. § 21-6101(a)(6)</p>
KY	1	<p>A person may not overhear or record an oral communication without the consent of at least one party to that communication.</p> <p>A person may not use a hidden camera or any image-recording device to view, photograph or film a person who is nude or performing sexual conduct without the person's consent in a place where the person has a reasonable expectation of privacy.</p>	<p>A person is guilty of eavesdropping (to overhear, record, amplify or transmit any part of a wire or oral communication of others without the consent of at least one party thereto by means of any electronic, mechanical or other device) when he intentionally uses any device to eavesdrop, whether or not he is present at the time. No offense is committed if the eavesdropping takes place with the consent of at least one party to the communication. The offense requires the use of some type of eavesdropping device and a person who desires privacy of communication has the responsibility to take the steps necessary to ensure that his conversation cannot be overheard by the ordinary ear. Ky. Rev. Stat. §§ 526.010, .020</p>	<p>A person may not use any camera, videotape, photo optical, photoelectric, or other image recording device for the purpose of observing, viewing, photographing, filming, or videotaping the sexual conduct, genitals, an undergarment worn without being publicly visible, or nipple of the female breast of another person without that person's consent, when the other person is in a place where a reasonable person would believe that his or her sexual conduct, genitals, undergarments, or nipple of the female breast will not be observed, viewed, photographed, filmed, or videotaped without his or her knowledge Ky. Rev. Stat. Ann. § 531.090</p>
LA	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not use any type of camera to observe or record a person where that person has not consented if the recording is for a lewd or lascivious purpose or that person is in a place where they have a reasonable</p>	<p>A person not acting under color of law may intercept a wire, electronic, or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception, unless such communication is intercepted for the purpose of committing any criminal or tortious act. La. Rev. Stat. Ann. § 15:1303(c)(4)</p>	<p>It is prohibited to use any camera or other image recording device for the purpose of observing, viewing, photographing, filming, or videotaping a person where that person has not consented to the observing, and it is either for a lewd or lascivious purpose or the observing occurs in a place where an identifiable person has a reasonable expectation of privacy. La. Rev. Stat. Ann. § 14:283(a)(1)</p>

	<p>expectation of privacy.</p> <p>Video surveillance is permitted in a short-term rental structure only in common areas and only if notice of the surveillance is posted on the premises.</p>		<p>An owner or lessor of a short-term rental structure may not install or use a camera (a camcorder, motion picture camera, photographic camera of any type, or other equipment that is concealed or disguised to secretly or surreptitiously videotape, film, photograph, record, or view a person by electronic means) on the premises of a short-term rental structure except in common areas (all areas other than bedrooms and bathrooms), and then only if the statutory notice of installation of the surveillance equipment is conspicuously posted on the premises . La. Rev. Stat. Ann. § 21:61</p>
--	---	--	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
ME	1	<p>A person may not record a private conversation with any device unless he is in the range of normal unaided hearing, a participant in the conversation, or consent to record was given by at least one of the parties to the conversation.</p> <p>A person may not use a recording device in a private place without consent of the persons entitled to privacy therein.</p>	<p>A person may not intentionally or knowingly intercept (to hear, record or aid another to hear or record the contents of any wire or oral communication through the use of any intercepting device by any person other than: (a) the sender or receiver of that communication; (b) a person within the range of normal unaided hearing or subnormal hearing corrected to not better than normal; or (c) a person given prior authority by the sender or receiver), attempt to intercept or procure any other person to intercept or attempt to intercept any wire or oral communication. Me. Rev. Stat. Ann. tit. 15, §§ 709, 710</p>	<p>A person may not: (1) install or use in a private place without the consent of the person or persons entitled to privacy in that place, any device for observing, photographing, recording, amplifying or broadcasting sounds or events in that place; or (2) install or use outside a private place without the consent of the person or persons entitled to privacy therein, any device for hearing, recording, amplifying or broadcasting sounds originating in that place that would not ordinarily be audible or comprehensible outside that place. Me. Rev. Stat. Ann. tit. 17-A, § 511(1)(b)-(c)</p>
MD	All	<p>It is lawful to record a communication where the person recording is a party to the communication and all of the parties to the communication give consent.</p> <p>A person may not use a camera on private property to record or observe those inside, without consent by the persons residing therein. Though, a person may place a camera on private property if there is no intent to conduct deliberate surreptitious observation of an individual inside the private residence.</p>	<p>It is lawful for a person to intercept a wire, oral, or electronic communication where the person is a party to the communication and where all of the parties to the communication have given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act. Md. Code Ann., Cts. & Jud. Proc. § 10-402(c)(3)</p>	<p>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. This does not apply to: (1) an adult resident of the private residence where a camera is placed; (2) a person who places or procures another to place a camera on real property without the intent to conduct deliberate surreptitious observation of an individual inside the private residence; (3) a person who has obtained the consent of an adult resident, or the adult resident's legal guardian, to place a camera on real property to conduct deliberate surreptitious observation of an individual inside the private residence; (4) filming conducted by a person by or for the print or broadcast media through use of a camera that is not secreted from view; or (5) 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. Md. Code Ann., Crim. Law § 3-903(b), (c)</p>

MA	All	<p>All parties to a conversation must give consent before one can record any private oral conversation.</p> <p>A person may not photograph, videotape or use any electronic device to secretly observe another person in the nude without consent in areas where the subject would have a reasonable expectation of privacy.</p>	<p>A person may not willfully commit an interception (to secretly hear, secretly record, or aid another to secretly hear or secretly record the contents of any wire or oral communication through the use of any intercepting device by any person other than a person given prior authority by all parties to such communication), attempt to commit an interception, or procure any other person to commit an interception or to attempt to commit an interception of any wire or oral communication. Mass. Ann. Laws ch. 272, § 99C</p>	<p>A person may not willfully photograph, videotape or electronically surveil another person who is nude or partially nude, with the intent to secretly conduct or hide such activity, when the other person in such place and circumstance would have a reasonable expectation of privacy in not being so photographed, videotaped or electronically surveilled, and without that person's knowledge and consent. Mass. Gen. Laws ch. 272, § 105(b)</p> <p>Note that Massachusetts courts have interpreted the statute to permit open recording by cameras or cell phones with an audio component when such recording device is in plain sight.</p>
----	-----	--	---	--

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
MI	All	<p>All parties to a conversation must give consent before one may record any private oral conversation.</p> <p>A person may not use a recording device in a private place without consent of the persons entitled to privacy therein. Home security monitoring devices can be used unless for a lewd or lascivious purpose.</p>	<p>Any person who is present or who is not present during a private conversation and who willfully uses any device to eavesdrop upon the conversation without the consent of all parties thereto, or who knowingly aids, employs or procures another person to do the same commits a felony. Mich. Comp. Laws § 750.539c</p> <p>The Michigan statute is often interpreted as an “all party consent” state, however, one court has interpreted the eavesdropping statute to allow a person in the conversation to record the same. <i>Sullivan v. Gray</i>, 117 Mich. App. 476, 324 N.W.2d 58 (1982)</p>	<p>A person may not install, place, or use in any private place, without the consent of the person or persons entitled to privacy in that place, any device for observing, recording, transmitting, photographing, or eavesdropping upon the sounds or events in that place. This does not prohibit home security monitoring devices unless used for a lewd or lascivious purpose. Mich. Comp. Laws § 750.539d</p>
MN	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not trespass on private property to install or use any type of device for observing or recording sounds or events in either another person’s home, a hotel room, tanning booth or any location where a person would have a reasonable expectation of privacy and either has undressed or will likely expose their intimate parts.</p> <p>Commercial property owners may use surveillance devices as long as they post conspicuous signs warning of such.</p>	<p>It is not unlawful for a person not acting under color of law to intercept a wire, electronic, or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act. Minn. Stat. § 626A.02(2)(d)</p>	<p>A person may not enter upon another's property, surreptitiously install or use any device for observing or recording sounds or events through the window or any other aperture of a dwelling of another and do so with intent to intrude upon or interfere with the privacy of a member of the household; or surreptitiously install or use any device in a sleeping room in a hotel, a tanning booth, or other place where a reasonable person would have an expectation of privacy and has exposed or is likely to expose their intimate parts or the clothing covering the immediate area of the intimate parts, and does so with intent to intrude upon or interfere with the privacy of the occupant. This does not apply to commercial buildings using surveillance systems when conspicuous signs are posted. Minn. Stat. § 609.746(b)-(c)-(f)</p>

MS	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph, film or produce any images of another person with lewd, licentious or indecent intent without that person's consent while in an area where there would be a reasonable expectation of privacy.</p>	<p>A person not acting under color of law may intercept a wire, oral or other communication if the person is a party to the communication, or if one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act. Miss. Code Ann. § 41-29-531(e)</p>	<p>A person may not with lewd, licentious or indecent intent to photograph, film, videotape, record or otherwise reproduces the image of another person without the permission of the other person when the other person is located in a place where a person would intend to be in a state of undress and have a reasonable expectation of privacy, including, but not limited to, private dwellings or any facility, public or private, used as a restroom, bathroom, shower room, tanning booth, locker room, fitting room, dressing room or bedroom. Miss. Code Ann. § 97-29-63(1)</p>
----	---	---	--	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
MO	1	<p>A person may record oral conversations if either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record a fully or partially nude person in a place where the person has a reasonable expectation of privacy and where the person has not provided consent.</p>	<p>A person not acting under law may intercept a wire communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act. Mo. Rev. Stat. § 542.402(2)(3)</p>	<p>A person may not photograph, film, videotape, produce, or otherwise create an image of another person, without the person's consent, while the person is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy; or photograph, film, videotape, produce, or otherwise create an image of another person under or through the clothing worn by that other person for the purpose of viewing the body of or the undergarments worn by that other person without that person's consent. Mo. Rev. Stat. § 565.252(1)(1)-(2)</p>
MT	All	<p>A person may not record a conversation by use of a hidden electronic or mechanical device without the knowledge of all parties to the conversation. The prohibition does not apply, however, to the recording of individuals given warning of the recording.</p> <p>A person may not surreptitiously photograph or record any occupant of a home, apartment or other residence without the occupant's knowledge.</p>	<p>A person may not record or cause to be recorded a conversation by use of a hidden electronic or mechanical device that reproduces a human conversation without the knowledge of all parties to the conversation. However, this does not apply to persons given warning of the transcription or recording, and if one person provides the warning, either party may record. Mont. Code Ann. § 45-8-213(c)</p>	<p>A person commits the offense of surreptitious visual observation or recordation in a place of residence if the person purposely or knowingly hides, waits, or otherwise loiters in person or by means of a remote electronic device within or in the vicinity of a private dwelling house, apartment, or other place of residence for the purpose of: watching, gazing at, or looking upon any occupant in the residence in a surreptitious manner without the occupant's knowledge; or by means of an electronic device, surreptitiously observing or recording the visual image of any occupant in the residence without the occupant's knowledge. Mont. Code Ann. § 45-5-223(1)</p>
NE	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record the intimate areas of another person without their knowledge or consent where the person has a reasonable expectation of privacy.</p>	<p>A person not acting under color of law may intercept a wire, electronic, or oral communication when such person is a party to the communication or when one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act. Neb. Rev. Stat. § 86-290(2)(c)</p>	<p>It is unlawful for any person to knowingly photograph, film, record, or live broadcast an image of the intimate area (the naked or undergarment-clad genitalia, pubic area, buttocks, or female breast of an individual) of any other person without his or her knowledge and consent when his or her intimate area would not be generally visible to the public regardless of whether such other person is located in a public or private place. Neb. Rev. Stat. § 28-311.08(2)</p>

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
NV	1	<p>A person may not surreptitiously record any private conversation engaged in by other persons unless authorized to do so by one of the parties to the conversation.</p> <p>A person may not photograph or record the private anatomical area of another person where that person has not consented and is in a place where they have a reasonable expectation of privacy.</p>	<p>A person shall not intrude upon the privacy of other persons by surreptitiously listening to, monitoring or recording, or attempting to listen to, monitor or record, by means of any mechanical, electronic or other listening device, any private conversation engaged in by the other persons, or disclose the existence, content, substance, purport, effect or meaning of any conversation so listened to, monitored or recorded, unless authorized to do so by one of the persons engaging in the conversation. Nev. Rev. Stat. § 200.650</p> <p>The Nevada Supreme Court has held that all parties must consent to the recording of a telephone communication, even if the person recording is a party to the communication. <i>Lane v. Allstate Ins. Co.</i>, 114 Nev. 1176, 969 P.2d 938 (1998).</p>	<p>A person shall not knowingly and intentionally capture an image of the private area (the naked or undergarment clad genitals, pubic area, buttocks or female breast of a person) of another person: without the consent of the other person; and under circumstances in which the other person has a reasonable expectation of privacy. Nev. Rev. Stat. § 200.604(1)</p>
NH	All	<p>All parties to a conversation must give consent before one can record any oral conversation.</p> <p>A person may not use a device inside any private place to transmit images or sounds, without consent by the persons entitled to privacy therein. A person may not use a device outside a private place transmitting images or sounds originating in such place which would not ordinarily be audible or comprehensible outside such place, without consent by the persons entitled to privacy therein.</p>	<p>A person, without the consent of all parties to the communication, may not: (1) willfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any telecommunication or oral communication; or (2) willfully use, endeavor to use, or procure any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication. N.H. Rev. Stat. Ann. § 570- A:2(1)</p>	<p>A person may not, without the consent of the persons entitled to privacy therein, install or use: (1) in any private place (place where one may reasonably expect to be safe from surveillance), any device for the purpose of observing, photographing, recording, amplifying or broadcasting, or in any way transmitting images or sounds in such place; or (2) outside a private place, any device for the purpose of hearing, recording, amplifying, broadcasting, or in any way transmitting images or sounds originating in such place which would not ordinarily be audible or comprehensible outside such place. N.H. Rev. Stat. Ann § 644:9(1)</p>

NJ	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record the intimate parts of another person or one engaged in a sexual act in a place where the person has a reasonable expectation of privacy and where that person has not given consent.</p>	<p>A person not acting under color of law may intercept a wire, electronic or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception unless such communication is intercepted or used for the purpose of committing any criminal or tortious act. N.J. Stat. Ann. § 2A:156A-4(d)</p>	<p>A person may not photograph, film, videotape, record, or otherwise reproduce in any manner, the image of another person whose intimate parts are exposed or who is engaged in an act of sexual penetration or sexual contact, without that person's consent and under circumstances in which a reasonable person would not expect to be observed. N.J. Stat. Ann. § 2C:14-9(b)</p>
----	---	--	---	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
NM	1	<p>The reading, interrupting, taking or copying of any communication is unlawful without the consent of one of the parties to said communication.</p> <p>A person may not photograph or record the intimate areas of a nonconsenting person in a place where the person has a reasonable expectation of privacy.</p>	<p>Illegal interference with communications consists of knowingly and without lawful authority: reading, interrupting, taking or copying any message, communication or report intended for another by telegraph or telephone without the consent of a sender or intended recipient thereof. N.M. Stat. Ann. § 30-12-1(c)</p>	<p>A person may not intentionally use the unaided eye to view or intentionally use an instrumentality to view, photograph, videotape, film, webcast or record the intimate areas of another person without the knowledge and consent of that person: (1) while the person is in the interior of a bedroom, bathroom, changing room, fitting room, dressing room or tanning booth or the interior of any other area in which the person has a reasonable expectation of privacy; or (2) under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place. N.M. Stat. Ann. § 30-9-20(A)</p>
NY	1	<p>A person may record oral conversations where at least one of the participants has consented to the recording.</p> <p>A person may install a security system for the purpose of security where written notice is conspicuously posted or its presence is clearly and immediately obvious.</p>	<p>A person is guilty of eavesdropping when he unlawfully engages in wiretapping, mechanical overhearing of a conversation (the intentional overhearing or recording of a conversation or discussion, without the consent of at least one party thereto, by a person not present thereat, by means of any instrument, device or equipment), or intercepting or accessing of an electronic communication. N.Y. Penal Law § 250.05</p>	<p>A person may not, for no legitimate purpose, intentionally use or install, or permit the utilization or installation of an imaging device to surreptitiously view, broadcast or record a person in a bedroom, changing room, fitting room, restroom, toilet, bathroom, washroom, shower or any room assigned to guests or patrons in a motel, hotel or inn, without such person's knowledge or consent. This does not apply when a person installs a security system wherein a written notice is conspicuously posted on the premises stating that a video surveillance system has been installed for the purpose of security, or when video surveillance devices are installed in such a manner that their presence is clearly and immediately obvious. N.Y. Penal Law § 250.45, .65</p>

NC	1	<p>A person may record an oral conversation with the consent of at least one party to the communication.</p> <p>A person may not photograph or record, for the purpose of arousing sexual desire of any person, a nonconsenting person in a room where the person has a reasonable expectation of privacy.</p>	<p>A person may not, without the consent of at least one party to the communication, willfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any wire, oral (any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation), or electronic communication. N.C. Gen. Stat. Ann. § 15A-287(a)(1)</p>	<p>A person may not, for the purpose of arousing or gratifying the sexual desire of any person, secretly or surreptitiously use or install in a room any device that can be used to create a photographic image with the intent to capture the image of another without their consent. N.C. Gen. Stat. Ann. § 14-202(f)</p>
----	---	--	---	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
ND	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not enter another person’s property to photograph or record sounds or events from a dwelling with the intent to intrude upon or interfere with the privacy of another.</p>	<p>A person may not intentionally intercept any wire or oral communication by use of any electronic, mechanical, or other device, unless the person was a party to the communication or one of the parties to the communication had given prior consent to such interception, and such communication was not intercepted for the purpose of committing a crime or other unlawful harm. N.D. Cent. Code § 12.1-15-02(1)(a), (3)(c)</p>	<p>An individual, with the intent to arouse, appeal to, or gratify that individual's lust, passions, or sexual desires, commits a crime if that individual, with intent to intrude upon or interfere with the privacy of another, enters upon another's property and surreptitiously installs or uses any device for observing, photographing, recording, amplifying, or broadcasting sounds or events from a house or place of dwelling of another. N.D. Cent. Code § 12.1-20-12.2(1)(b)</p>
OH	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not surreptitiously videotape another for the purpose of viewing the body/undergarments of that person.</p>	<p>A person may intercept a wire, oral (must have justifiable expectation that the communication is not subject to interception), or electronic communication, if the person is a party to the communication or if one of the parties to the communication has given the person prior consent to the interception, and if the communication is not intercepted for the purpose of committing a criminal offense or tortious act. Ohio Rev. Code Ann. § 2933.52(B)(4)</p>	<p>No person shall secretly or surreptitiously videotape, film, photograph, or otherwise record another person under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person. Ohio Rev. Code Ann. § 2907.08(D)</p>
OK	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not record, in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose, a nonconsenting person in a place where there is a reasonable expectation of privacy.</p>	<p>A person not acting under color of law may intercept a wire, oral or electronic communication when such person is a party to the communication or when one of the parties to the communication has given prior consent to such interception unless the communication is intercepted for the purpose of committing any criminal act. Okla. Stat. Ann. tit. 13, § 176.4(5)</p> <p>Legislation proposed in 2017 and carried over to 2018, H.B. 2309, which would have made Oklahoma an “all party consent” state, did not pass.</p>	<p>A person may not use photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person without the knowledge and consent of such person when the person viewed is in a place where there is a right to a reasonable expectation of privacy. Okla. Stat. Ann. tit. 21, § 1171(B)</p>

OR	All	<p>A person may not record an in-person, oral communication unless all of the participants are informed that the conversation is being recorded. For electronic communications, a person may record if they either are a party to the communication or one of the parties has consented to the recording.</p> <p>A person may not photograph or record another nonconsenting person's intimate area in a place where there is a reasonable expectation of privacy.</p>	<p>A person may not obtain or attempt to obtain the whole or any part of a conversation by means of any device, contrivance, machine or apparatus, whether electrical, mechanical, manual or otherwise, if not all participants in the conversation are specifically informed that their conversation is being obtained. Or. Rev. Stat. Ann. §§ 165.540(1)(c)</p>	<p>A person may not knowingly make or record a photograph, motion picture, videotape or other visual recording of another person's intimate area without the consent of the other person, and the person being recorded has a reasonable expectation of privacy concerning the intimate area. Or. Rev. Stat. Ann. § 163.700(1)(a)</p>
----	-----	--	---	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
PA	All	<p>A person may not record an oral communication unless all parties to the communication consent.</p> <p>A person may not photograph or record a fully or partially nude person in a place where the person has a reasonable expectation of privacy and has not provided consent.</p>	<p>A person may intercept a wire, electronic or oral communication (any oral communication uttered by a person possessing an expectation that such communication is not subject to interception under circumstances justifying such expectation), where all parties to the communication have given prior consent to such interception. 18 Pa. Cons. Stat. Ann. § 5704(4)</p>	<p>A person may not, for the purpose of arousing or gratifying the sexual desire of any person, view, photograph, videotape, electronically depict, film or otherwise record another person without that person's knowledge and consent while that person is in a state of full or partial nudity and is in a place where that person would have a reasonable expectation of privacy. 18 Pa. Cons. Stat. Ann. § 7507.1(a)(1)</p>
RI	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record the intimate areas of a person in a place where the person has a reasonable expectation of privacy and has not provided consent.</p>	<p>A person not acting under color of law may intercept a wire, electronic, or oral communication, where the person is a party to the communication, or one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act. R.I. Gen. Laws § 11-35-21(c)(3)</p> <p>An individual may also disclose the content of any electronic or in-person communication that is common knowledge or public information.</p>	<p>A person may not, for the purpose of sexual arousal, gratification or stimulation, use, install or permit the use or installation of an imaging device to capture, record, store or transmit visual images of the intimate areas of another person without that other person's knowledge and consent, and under circumstances in which that other person would have a reasonable expectation of privacy. R.I. Gen. Laws § 11-64-2(1)(a)</p>
SC	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not eavesdrop or use audio or video equipment to spy on or invade the privacy of others; the use of security surveillance measures in business establishments is permissible.</p>	<p>It is lawful for a person not acting under color of law to intercept a wire, oral, or electronic communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception. S.C. Code Ann. § 17-30-30(C)</p>	<p>It is unlawful for a person to be an eavesdropper or a peeping tom on or about the premises of another or to go upon the premises of another for the purpose of becoming an eavesdropper or a peeping tom. The term "peeping tom", is defined as a person who peeps through windows, doors, or other like places, on or about the premises of another, for the purpose of spying upon or invading the privacy of the persons spied upon and any other conduct of a similar nature, that tends to invade the privacy of others. The term also includes any person who employs the use of video or audio equipment for such.</p> <p>This does not apply to security surveillance for the purposes of decreasing or prosecuting theft, shoplifting, or other security surveillance measures in bona fide business establishments or any bona fide news gathering activities. S.C. Code Ann. § 16-17-470(A), (E)</p>

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
SD	1	<p>A person may record oral conversations where at least one of the participants has consented to the recording.</p> <p>A person may not use a recording device in a private place without the consent of the persons entitled to privacy therein.</p>	<p>A person, who is not present during a conversation or discussion, may not intentionally and by means of an eavesdropping device overhear or record the conversation or discussion, or aid, authorize, employ, procure, or permit another to do so, without the consent of a party to the conversation or discussion.</p> <p>S.D. Codified Laws § 23A-35A-20(2)</p>	<p>A person may not install in any private place, without the consent of the person or persons entitled to privacy there, any device for observing, photographing, recording, amplifying, or broadcasting sounds or events in such place, or use any such unauthorized installation.</p> <p>S.D. Codified Laws § 22-21-1(2)</p>
TN	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record, for the purpose of sexual arousal or gratification, a person who has not consented when the person has a reasonable expectation of privacy and the image would offend or embarrass an ordinary person.</p>	<p>A person not acting under color of law may intercept a wire, oral, or electronic communication, where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing any criminal or tortious act.</p> <p>Tenn. Code Ann. § 39-13-601(b)(5)</p> <p>Legislation proposed in 2018, H.B. 1528, which would have made Tennessee an “all party consent” state did not pass.</p>	<p>A person may not knowingly photograph (includes video recording), or cause to be photographed an individual, when the individual has a reasonable expectation of privacy, without the prior effective consent of the individual, if the photograph would offend or embarrass an ordinary person if such person appeared in the photograph and was taken for the purpose of sexual arousal or gratification of the defendant.</p> <p>Tenn. Code Ann. § 39-13-605(a)</p>
TX	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record an intimate area of another person without the consent of that person and where that person has a reasonable expectation of privacy.</p>	<p>A person not acting under color of law may intercept a wire, oral, or electronic communication, if the person is a party to the communication or one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing an unlawful act.</p> <p>Tex. Penal Code Ann. § 16.02(c)(4)</p>	<p>A person may not, with the intent to invade the privacy of another, photograph or by videotape or other electronic means record, broadcast, or transmit a visual image of an intimate area of another person, without that person’s consent, if the other person has a reasonable expectation that the intimate area is not subject to public view.</p> <p>Tex. Penal Code Ann. § 21.15(b)(1)</p>

UT	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not use a recording device in a private place without the consent of the persons entitled to privacy therein or use a recording device outside a private place for sounds that would not be ordinarily audible outside.</p>	<p>A person not acting under color of law may intercept a wire, electronic, or oral communication if that person is a party to the communication or one of the parties to the communication has given prior consent to the interception, unless the communication is intercepted for the purpose of committing any criminal or tortious act. Utah Code Ann. § 77-23a-4(7)(b)</p> <p>Legislation proposed in 2018, H.B. 330, which would have made Utah an “all party consent” state did not pass.</p>	<p>A person may not install in any private place, without the consent of the person or persons entitled to privacy there, any device for observing, photographing, recording, amplifying, or broadcasting sounds or events in the place or uses any such unauthorized installation; or install or use outside of a private place any device for hearing, recording, amplifying, or broadcasting sounds originating in the place which would not ordinarily be audible, visible, or comprehensible outside the private place, without the consent of the person or persons entitled to privacy there. Utah Code Ann. § 76-9-402(1)</p>
----	---	--	---	---

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
VT	N/A	<p>No specific state law, but case law has held that surreptitious electronic monitoring of communications in a person's home is an unlawful invasion of privacy.</p> <p>A person may not secretly photograph or record a person in a place where the person has a reasonable expectation of privacy within a residence and has not consented to such surveillance.</p>	<p>There are no specific statutes in Vermont addressing interception of communications, but the Vermont Supreme Court has held that surreptitious electronic monitoring of communications in a person's home is an unlawful invasion of privacy. <i>Vermont v. Geraw</i>, 795 A.2d 1219 (Vt. 2002)</p>	<p>A person may not intentionally conduct surveillance or intentionally photograph, film, or record in any format a person without that person's knowledge and consent while the person being surveilled, photographed, filmed, or recorded is in a place where he or she would have a reasonable expectation of privacy within a home or residence. This does not apply to security or theft prevention policies or programs at a place of business. Vt. Stat. Ann. tit. 13, § 2605(d), (f)</p>
VA	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record a fully or partially nude nonconsenting person, in a place where the person has a reasonable expectation of privacy.</p>	<p>A person may intercept a wire, electronic or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception. Va. Code Ann. § 19.2-62(B)(2)</p>	<p>It is unlawful for any person to knowingly and intentionally create any videographic or still image by any means whatsoever of any nonconsenting person if: (1) that person is totally nude, clad in undergarments, or in a state of undress so as to expose the genitals, pubic area, buttocks or female breast in a restroom, dressing room, locker room, hotel room, motel room, tanning bed, tanning booth, bedroom or other location; or (2) the videographic or still image is created by placing the lens or image-gathering component of the recording device in a position directly beneath or between a person's legs for the purpose of capturing an image of the person's intimate parts or undergarments they would not otherwise be visible to the general public; and when the circumstances set forth in (1) or (2) are otherwise such that the person being recorded would have a reasonable expectation of privacy. Va. Code Ann. § 18.2-386.1(A)</p>

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
WA	All	<p>A person may not record a conversation unless all of the participants give consent or are first informed that the conversation will be recorded and such announcement is recorded as well.</p> <p>A person may not photograph or record, for the purpose of arousing or gratifying the sexual desire of any person, another nonconsenting person in a place where he or she has a reasonable expectation of privacy.</p>	<p>A person may not intercept or record a private conversation, by any device, electronic or otherwise, designed to record or transmit such conversation regardless how the device is powered or actuated without first obtaining the consent of all the persons engaged in the conversation. However, consent shall be considered obtained whenever one party has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that such communication or conversation is about to be recorded or transmitted, provided that if the conversation is to be recorded that said announcement must also be recorded.</p> <p>Wash. Rev. Code Ann. § 9.73.030(1)(b), (3)</p>	<p>A person may not, for the purpose of arousing or gratifying the sexual desire of any person, knowingly view, photograph, or film: another person without that person's knowledge and consent while the person being viewed, photographed, or filmed is in a place where he or she would have a reasonable expectation of privacy; or the intimate areas of another person without that person's knowledge and consent and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place. Wash. Rev. Code Ann. § 9A.44.115(2)</p>
WV	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not secretly photograph or record a fully or partially nude person in a place where the person has a reasonable expectation of privacy.</p>	<p>A person may intercept a wire, oral or electronic communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act. W. Va. Code § 62-1D-3(e)</p>	<p>It is unlawful for a person to knowingly visually portray another person without that other person's knowledge, while that other person is fully or partially nude and is in a place where a reasonable person would have an expectation of privacy. W. Va. Code § 61-8-28(b)</p>
WI	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not install or use a surveillance device in a private place to view a nude or partially nude person without that person's consent.</p>	<p>A person not acting under color of law may intercept a wire, electronic or oral communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act or for the purpose of committing any other injurious act. A person may intercept an electronic communication where such communication is readily accessible to the general public. Wis. Stat. Ann. § 968.31(2)(c), (d)</p> <p>Evidence obtained as the result of the use of voice recording equipment for recording of telephone conversations, by way of interception of a communication or in any other manner, shall be totally</p>	<p>A person may not knowingly install a surveillance device in any private place, or use a surveillance device to observe in a private place, with the intent to observe any nude or partially nude person without the consent of the person observed. Wis. Stat. Ann. § 942.08(2)(a)</p>

			inadmissible in Wisconsin courts in civil actions. Wis. Stat. Ann. § 885.365(1)	
--	--	--	---	--

STATE	1 or All Party Consent	Summary	Statute - Communications	Statute - Videos
WY	1	<p>A person may record oral conversations where either the person is a party to the conversation or at least one of the participants has consented to the recording.</p> <p>A person may not photograph or record, in a surreptitious nature, a nonconsenting person in an enclosed place where the person has a reasonable expectation of privacy.</p>	<p>A person may intercept an oral, wire or electronic communication where the person is a party to the communication or where one of the parties to the communication has given prior consent to the interception unless the communication is intercepted for the purpose of committing any criminal or tortious act. Wyo. Stat. Ann. § 7-3-702(b)(iv)</p>	<p>A person may not, without the consent of the person being viewed, look in a clandestine, surreptitious, prying or secretive nature (includes the use of a video or imaging device) into an enclosed area where the person being viewed has a reasonable expectation of privacy, including, but not limited to: restrooms; baths; showers; or dressing or fitting rooms. Wyo. Stat. Ann. § 6-4-304(a)</p>