

727.8 Electronic and mechanical eavesdropping.

1. “*Monitoring device*” means 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.

2. Any person, having no right or authority to do so, who taps into or connects a listening or recording device to any telephone or other communication wire, or who by any electronic or mechanical means listens to, records, or otherwise intercepts a conversation or communication of any kind, commits a serious misdemeanor.

3. [This section](#) does not apply to any of the following:

a. The recording by a sender or recipient of a message or one who is openly present and participating in or listening to a communication from recording such message or communication.

b. The use of any radio or television receiver to receive any communication transmitted by radio or wireless signal.

c. The use of a monitoring device.

[C97, §4816; C24, 27, 31, 35, 39, §13121; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §716.8; C79, 81, §727.8]

[2018 Acts, ch 1102, §1](#)