

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HOUSE BILL 2515

AN ACT

AMENDING TITLE 13, CHAPTER 14, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-1425; RELATING TO SEXUAL OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 14, Arizona Revised Statutes, is amended
3 by adding section 13-1425, to read:

4 13-1425. Unlawful distribution of images: state of nudity:
5 classification: definition

6 A. IT IS UNLAWFUL TO INTENTIONALLY DISCLOSE, DISPLAY, DISTRIBUTE,
7 PUBLISH, ADVERTISE OR OFFER A PHOTOGRAPH, VIDEOTAPE, FILM OR DIGITAL
8 RECORDING OF ANOTHER PERSON IN A STATE OF NUDITY OR ENGAGED IN A SEXUAL ACT
9 IF THE PERSON KNOWS OR SHOULD HAVE KNOWN THAT THE DEPICTED PERSON HAS NOT
10 CONSENTED TO THE DISCLOSURE.

11 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

12 1. LAWFUL AND COMMON PRACTICES OF LAW ENFORCEMENT, REPORTING UNLAWFUL
13 ACTIVITY, OR WHEN PERMITTED OR REQUIRED BY LAW OR RULE IN LEGAL PROCEEDINGS.

14 2. LAWFUL AND COMMON PRACTICES OF MEDICAL TREATMENT.

15 3. IMAGES INVOLVING VOLUNTARY EXPOSURE IN A PUBLIC OR COMMERCIAL
16 SETTING.

17 4. AN INTERACTIVE COMPUTER SERVICE, AS DEFINED IN 47 UNITED STATES
18 CODE SECTION 230(f)(2), OR AN INFORMATION SERVICE, AS DEFINED IN 47 UNITED
19 STATES CODE SECTION 153, WITH REGARD TO CONTENT PROVIDED BY ANOTHER PERSON.

20 C. A VIOLATION OF THIS SECTION IS A CLASS 5 FELONY, EXCEPT THAT A
21 VIOLATION OF THIS SECTION IS A CLASS 4 FELONY IF THE DEPICTED PERSON IS
22 RECOGNIZABLE.

23 D. FOR THE PURPOSES OF THIS SECTION, "STATE OF NUDITY" HAS THE SAME
24 MEANING PRESCRIBED IN SECTION 11-811.