



# HOUSE OF REPRESENTATIVES

## HB 2515

unlawful distribution of private images

Sponsors: Representatives Mesnard, Carter, Coleman, et al.

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**DPA** Committee on Judiciary

**X** Caucus and COW

House Engrossed

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### OVERVIEW

HB 2515 prohibits a person from knowingly promulgating photographs, videotape, film or digital recording of a person engaged in a sexual act or in a state of nudity without that person's written consent.

### HISTORY

Title 13, Chapter 14, Arizona Revised Statutes (A.R.S.), deals with laws relating to sexual offenses. A.R.S. § 13-1424 classifies voyeurism and states it is unlawful to knowingly invade the privacy of another person without the knowledge of the other person for the purpose of sexual stimulation. Specifically, A.R.S. § 13-1424 (B) states it is unlawful for a person to disclose, display, distribute or publish a photograph, videotape, film or digital recording that is made without the consent or knowledge of the person depicted. Currently in Arizona, there are no laws dealing with the distribution of private images that are of a sexual nature.

### PROVISIONS

- Prohibits a person from knowingly disclosing, displaying, distributing, publishing, advertising or offering a photograph, videotape or film or digital recording or other reproduction of a person engaged in a sexual act or in a *state of nudity* without that person's written consent.
- Exempts the following from the above prohibition:
  - Lawful and common practices of law enforcement, reporting criminal activity to law enforcement, or when permitted or required by law or rule in legal proceedings.
  - Medical treatment.
  - Images involving voluntary exposure in a public or commercial setting.
- Classifies a violation of this section as the following:
  - Class 5 felony.
  - Class 4 felony if the depicted person is recognizable.
- Defines *state of nudity*.

### Amendment

#### **Committee on Judiciary**

- Makes clarifying and technical changes.