



Bill Number: HB 2561

Mesnard Floor Amendment

Reference to: Printed Bill

Amendment drafted by: Steve Primack

## FLOOR AMENDMENT EXPLANATION

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The Mesnard Floor Amendment:

- Prohibits a person from threatening to disclose an image of another person who is identifiable from the image itself or from information displayed in connection with the image and who is in a state of nudity or engaged in specific sexual activities if the person knows or should have known that the disclosure of the image will cause harm to the depicted person or if the image is disclosed with the intent to harass, intimidate, threaten, or coerce the depicted person.
- Removes the exception for disclosures made in the public interest.
- Adds an exception for any disclosure that is made with the consent of the person who is depicted in the image.
- Defines *disclose* as display, distribute, publish, advertise, or offer.
- Defines *harm* as physical injury, financial injury or serious emotional distress.
- Defines *image* as a photograph, videotape, film or digital recording.
- Removes excretory functions as part of or in connection with "specific sexual activities" from the definition of *specific sexual activities* pursuant to A.R.S. § 13-1425.

Amendment explanation prepared by Morganne Barrett

lcs3770

2/26/2015

MESNARD FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2561  
(Reference to printed bill)

1 Page 1, line 6, strike ", display,"; strike line 7; Line 8, strike "digital  
2 recording" insert "OR THREATEN TO DISCLOSE AN IMAGE"  
3 Line 9, after "IS" insert "DEPICTED"  
4 Line 11, after the first "the" strike remainder of line; strike line 12, insert  
5 "DISCLOSURE OF THE IMAGE WILL CAUSE HARM TO THE DEPICTED PERSON OR IF THE  
6 IMAGE IS DISCLOSED WITH THE INTENT TO HARASS, INTIMIDATE, THREATEN OR COERCE  
7 THE DEPICTED PERSON."  
8 Strike line 14; line 15, strike "(a)" insert "1."  
9 Line 16, strike "(b)" insert "2."  
10 Renumber to conform  
11 Between lines 25 and 26, insert:  
12 "5. ANY DISCLOSURE THAT IS MADE WITH THE CONSENT OF THE PERSON WHO IS  
13 DEPICTED IN THE IMAGE."  
14 Between lines 29 and 30, insert:  
15 "1. "DISCLOSE" MEANS DISPLAY, DISTRIBUTE, PUBLISH, ADVERTISE OR OFFER.  
16 2. "HARM" MEANS PHYSICAL INJURY, FINANCIAL INJURY OR SERIOUS EMOTIONAL  
17 DISTRESS.  
18 3. "IMAGE" MEANS A PHOTOGRAPH, VIDEOTAPE, FILM OR DIGITAL RECORDING."  
19 Renumber to conform  
20 Line 31, strike the fourth comma insert "AND"  
21 Line 32, strike "AND (d)"  
22 Amend title to conform

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JAVAN D. MESNARD