

House Engrossed Senate Bill

computer-generated pictorial representations; unlawful disclosure

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1462

AN ACT

AMENDING SECTION 13-1425, ARIZONA REVISED STATUTES; 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. Section 13-1425, Arizona Revised Statutes, is amended to
3 read:

4 13-1425. Unlawful disclosure of images depicting states of
5 nudity or specific sexual activities;
6 classification; definitions

7 A. It is unlawful for a person to intentionally disclose an image
8 of another person who is identifiable from the image itself or from
9 information displayed in connection with the image if all of the following
10 apply:

11 1. The person in the image is depicted in a state of nudity or is
12 engaged in specific sexual activities.

13 2. The depicted person has a reasonable expectation of privacy.
14 Evidence that a person has sent an image to another person using an
15 electronic device does not, on its own, remove the person's reasonable
16 expectation of privacy for that image. UNLESS THE REALISTIC PICTORIAL
17 REPRESENTATION IS CREATED OR MODIFIED BY THE DEPICTED PERSON, THIS
18 PARAGRAPH DOES NOT APPLY TO AN IMAGE THAT IS A REALISTIC PICTORIAL
19 REPRESENTATION.

20 3. The image is disclosed with the intent to harm, harass,
21 intimidate, threaten or coerce the depicted person.

22 B. This section does not apply to any of the following:

23 1. The reporting of unlawful conduct.

24 2. Lawful and common practices of law enforcement, criminal
25 reporting, legal proceedings or medical treatment.

26 3. Images involving voluntary exposure in a public or commercial
27 setting.

28 4. An interactive computer service, as defined in 47 United States
29 Code section 230(f)(2), or an information service OR CABLE SERVICE, as
30 defined in 47 United States Code section 153, with regard to content
31 wholly provided by another party.

32 5. Any disclosure that is made with the consent of the person who
33 is depicted in the image.

34 C. A violation of this section is a class 5 felony, except that a
35 violation of this section is a:

36 1. Class 4 felony if the image is disclosed by electronic means.

37 2. Class 1 misdemeanor if a person threatens to disclose but does
38 not disclose an image that if disclosed would be a violation of this
39 section OR IF THE IMAGE IS A REALISTIC PICTORIAL REPRESENTATION.

40 D. For the purposes of this section:

41 1. "Disclose" means display, distribute, publish, advertise or
42 offer.

43 2. "Disclosed by electronic means" means delivery to an email
44 address, mobile device, tablet or other electronic device and includes
45 disclosure on a website.

1 3. "Harm" means physical injury, financial injury or serious
2 emotional distress.

3 4. "Image" means a photograph, videotape, film, ~~or~~ digital
4 recording ~~OR REALISTIC PICTORIAL REPRESENTATION~~.

5 5. "REALISTIC PICTORIAL REPRESENTATION" MEANS:

6 (a) AN IMAGE THAT IS CREATED OR MODIFIED TO REASONABLY APPEAR TO BE
7 AN ACTUAL IMAGE OF AN IDENTIFIABLE PERSON DEPICTED IN A STATE OF NUDITY OR
8 ENGAGED IN SPECIFIC SEXUAL ACTIVITIES THAT DID NOT ACTUALLY OCCUR.

9 (b) DOES NOT INCLUDE AN IMAGE MADE IN THE PUBLIC INTEREST,
10 INCLUDING SCIENTIFIC OR EDUCATIONAL ACTIVITIES, A NEWSWORTHY EVENT OR AN
11 ISSUE OF PUBLIC CONCERN.

12 ~~5.~~ 6. "Reasonable expectation of privacy" means the person
13 exhibits an actual expectation of privacy and the expectation is
14 reasonable.

15 ~~6.~~ 7. "Specific sexual activities" has the same meaning prescribed
16 in section 11-811, subsection E, paragraph 18, subdivisions (a) and (b).

17 ~~7.~~ 8. "State of nudity" has the same meaning prescribed in section
18 11-811, subsection E, paragraph 14, subdivision (a).