

REFERENCE TITLE: computer-generated pictorial representations; unlawful disclosure

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

SB 1462

Introduced by
Senator Mesnard

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. EXCEPT FOR A COMPUTER-GENERATED PICTORIAL REPRESENTATION, the
14 depicted person has a reasonable expectation of privacy. Evidence that a
15 person has sent an image to another person using an electronic device does
16 not, on its own, remove the person's reasonable expectation of privacy for
17 that image.

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

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

21 1. The reporting of unlawful conduct.

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

24 3. Images involving voluntary exposure in a public or commercial
25 setting.

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

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

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

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

35 2. Class 1 misdemeanor if a person threatens to disclose but does
36 not disclose an image that if disclosed would be a violation of this
37 section.

38 D. For the purposes of this section:

39 1. "Disclose" means display, distribute, publish, advertise or
40 offer.

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

44 3. "Harm" means physical injury, financial injury or serious
45 emotional distress.

- 1 4. "Image" means a photograph, videotape, film, ~~or~~ digital
2 recording **OR COMPUTER-GENERATED PICTORIAL REPRESENTATION**.
- 3 5. "Reasonable expectation of privacy" means the person exhibits an
4 actual expectation of privacy and the expectation is reasonable.
- 5 6. "Specific sexual activities" has the same meaning prescribed in
6 section 11-811, subsection E, paragraph 18, subdivisions (a) and (b).
- 7 7. "State of nudity" has the same meaning prescribed in section
8 11-811, subsection E, paragraph 14, subdivision (a).