

South Carolina General Assembly
122nd Session, 2017-2018

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H. 3015

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION [16-7-155](#) SO AS TO ESTABLISH THE OFFENSE OF MALICIOUSLY PUBLISHING THE PHOTOGRAPH OF A PERSON WITH THE INTENT TO INJURE THE CHARACTER OR REPUTATION OF ANOTHER AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 7, Title 16 of the 1976 Code is amended by adding:

"Section [16-7-155](#). (A) A person who, with actual malice aforethought, publishes photographs or other similar images of another on a website accessible by the public including, but not limited to, a social media website with the intention of harming the person's character or reputation is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both.

(B) For purposes of this section, the term:

(1) 'Photograph' includes all photographs, including those which are unaltered, retouched, or otherwise edited.

(2) 'Publication' means the dissemination of the photograph without the knowledge or consent of the party in the photograph.

(3) 'Social media' means a category of Internet sites based on user participation and user-generated content centered on user interaction."

SECTION 2. This act takes effect upon approval by the Governor.

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This web page was last updated on January 11, 2017 at 11:23 AM