

South Carolina General Assembly
122nd Session, 2017-2018

H. 3015

STATUS INFORMATION

General Bill

Sponsors: Reps. McKnight and Clyburn

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Introduced in the House on January 10, 2017

Currently residing in the House Committee on **Judiciary**

Summary: Malicious publication of photographs offense

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
12/15/2016	House	Prefiled
12/15/2016	House	Referred to Committee on Judiciary
1/10/2017	House	Introduced and read first time (House Journal-page 41)
1/10/2017	House	Referred to Committee on Judiciary (House Journal-page 41)

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VERSIONS OF THIS BILL

[12/15/2016](#)

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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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