



General Assembly

Raised Bill No. 843

January Session, 2019

LCO No. 4006

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1119 _____ *

Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE UNLAWFUL DISSEMINATION OF INTIMATE IMAGES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 53a-189c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) A person is guilty of unlawful dissemination of an intimate image when (1) such person intentionally disseminates by electronic or other means to one or more persons a photograph, film, videotape or other recorded image of (A) the genitals, pubic area or buttocks of another person with less than a fully opaque covering of such body part, or the breast of such other person who is female with less than a fully opaque covering of any portion of such breast below the top of the nipple, or (B) another person engaged in sexual intercourse, as defined in section 53a-193, (2) such person disseminates such image to one or more persons without the consent of such other person, knowing that such other person understood that the image would not be so disseminated, and (3) such other person suffers harm as a result of such dissemination. For purposes of this subsection, "disseminate" means to sell, give, provide, lend, trade, mail, deliver, transfer, publish,

distribute, circulate, present, exhibit, advertise or otherwise offer.

(b) The provisions of subsection (a) of this subsection shall not apply to:

(1) Any image described in subsection (a) of this section of such other person if such image resulted from voluntary exposure or engagement in sexual intercourse by such other person, in a public place, as defined in section 53a-181, or in a commercial setting;

(2) Any image described in subsection (a) of this section of such other person, if such other person is not clearly identifiable; or

(3) Any image described in subsection (a) of this section of such other person, if the dissemination of such image serves the public interest.

(c) Unlawful dissemination of an intimate image to (1) a person by any means is a class A misdemeanor, and (2) more than one person by means of an interactive computer service, as defined in 47 USC 230, an information service, as defined in 47 USC 153, or a telecommunications service, as defined in section 16-247a, is a class D felony.

(d) Nothing in this section shall be construed to impose liability on the provider of an interactive computer service, as defined in 47 USC 230, an information service, as defined in 47 USC 153, or a telecommunications service, as defined in section 16-247a, for content provided by another person.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2019	53a-189c
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JUD *Joint Favorable*