



General Assembly

January Session, 2019

Raised Bill No. 843

LCO No. 4006



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:

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 Section 53a-189c of the general statutes is repealed and the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

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

16 means to sell, give, provide, lend, trade, mail, deliver, transfer, publish,
17 distribute, circulate, present, exhibit, advertise or otherwise offer.

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

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

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

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

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

34 (d) Nothing in this section shall be construed to impose liability on
35 the provider of an interactive computer service, as defined in 47 USC
36 230, an information service, as defined in 47 USC 153, or a
37 telecommunications service, as defined in section 16-247a, for content
38 provided by another person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	53a-189c

Statement of Purpose:

To elevate the penalty for dissemination of intimate images in the case of dissemination to multiple persons by certain electronic means.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]