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HOUSE BILL NO. 49

Offered January 8, 2014

Prefiled December 3, 2013

A BILL to amend the Code of Virginia by adding a section numbered 18.2-386.2, relating to unlawful dissemination or sale of images of another.

Patrons—Simon, Bulova, Filler-Corn, Futrell, Lopez, Mason and Plum; Senators: Barker, Ebbin, Favola, Howell, Marsden and McEachin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-386.2 as follows:

§ 18.2-386.2. Unlawful dissemination or sale of images of another.

It is unlawful for any person, with the intent to cause substantial emotional distress to the depicted person, to disseminate or sell any videotape, photograph, film, or other videographic or still image created by any means, or any reproduction of such videotape, photograph, film, or image, that depicts another person who is totally nude, in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast, or engaged in sexual conduct, as defined in § 18.2-390, where (i) such person knows or has reason to know that he is not licensed or privileged to disseminate or sell such videotape, photograph, film, or image and (ii) the depicted person suffers substantial emotional distress. A person who violates the provisions of this section is guilty of a Class 1 misdemeanor.

INTRODUCED

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