

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 8.01-40.4, relating to civil action*  
3 *for unlawful creation of image of another or unlawful dissemination or sale of images of another.*

4 [S 1210]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 8.01-40.4 as follows:**8 *§ 8.01-40.4. Civil action for unlawful creation of image of another or unlawful dissemination or*  
9 *sale of images of another.*10 *A. Any person injured by an individual who engaged in conduct that is prohibited under § 18.2-386.1*  
11 *or 18.2-386.2, whether or not the individual has been charged with or convicted of the alleged violation,*  
12 *may sue therefor and recover compensatory damages, punitive damages, and reasonable attorney fees*  
13 *and costs.*14 *B. No action shall be commenced under this section more than two years after the later of (i) the*  
15 *date of the last act in violation of § 18.2-386.1 or 18.2-386.2, (ii) the date on which such person*  
16 *attained 18 years of age, or (iii) the date on which such person discovered or reasonably should have*  
17 *discovered the prohibited conduct.*18 *C. Nothing in this section shall be construed to impose liability on an interactive computer service,*  
19 *as defined in 47 U.S.C. § 230(f), for content provided by another person.*

ENROLLED

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