

STATE OF NEW YORK

9176

IN SENATE

February 11, 2026

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to private rights of action for certain unlawfully disseminated images or depictions of individuals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph of subdivision 1 of section 52-b of
2 the civil rights law, as amended by section 3 of subpart A of part MM of
3 chapter 58 of the laws of 2024, is amended to read as follows:

4 Any person depicted in a still or video image, including an image
5 created or altered by digitization, regardless of whether or not the
6 original still or video image was consensually obtained, shall have a
7 cause of action against an individual who, [~~for the purpose of harass-~~
8 ~~ing, annoying or alarming such person,~~] disseminated or published, or
9 threatened to disseminate or publish, such still or video image, where
10 such image:

11 § 2. Subdivision 2 of section 52-b of the civil rights law, as added
12 by chapter 109 of the laws of 2019, is amended to read as follows:

13 2. In any action commenced pursuant to subdivision one of this
14 section[~~7~~]:

15 (a) the finder of fact, in its discretion, may award injunctive
16 relief, punitive damages in addition to any imposed under paragraph (b)
17 of this subdivision, compensatory damages and reasonable court costs and
18 attorney's fees; and

19 (b) the court shall impose punitive damages of twenty thousand dollars
20 per violation found to have occurred.

21 § 3. Subdivision 5 of section 52-c of the civil rights law, as added
22 by chapter 304 of the laws of 2020, is amended to read as follows:

23 5. In any action commenced pursuant to this section[~~7~~]:

24 (a) the finder of fact, in its discretion, may award injunctive
25 relief, punitive damages in addition to any imposed under paragraph (b)
26 of this subdivision, compensatory damages, and reasonable court costs
27 and attorney's fees; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (b) the court shall impose punitive damages of twenty thousand dollars
2 per violation found to have occurred.

3 § 4. The opening paragraph of paragraph a of subdivision 5 of section
4 52-b of the civil rights law, as amended by section 3 of subpart A of
5 part MM of chapter 58 of the laws of 2024, is amended to read as
6 follows:

7 ~~[Any]~~ Notwithstanding the provisions of subdivision ten of this
8 section, any website, or the owner of such website or any wholly owned
9 subsidiary of the owner of such website, that hosts or transmits a still
10 or video image, including an image created or altered by digitization,
11 viewable in this state or where harm has otherwise occurred in this
12 state, taken under circumstances where the person depicted had a reason-
13 able expectation that the image would remain private, which depicts:

14 § 5. Subdivision 2 of section 52-c of the civil rights law, as added
15 by chapter 304 of the laws of 2020, is amended by adding a new paragraph
16 c to read as follows:

17 c. Notwithstanding the provisions of subdivision ten of this section,
18 a depicted individual shall have a cause of action against any website,
19 or the owner of such website or any wholly owned subsidiary of the owner
20 of such website, that hosts or transmits a digitization of such depicted
21 individual in violation of this section, where harm has occurred in this
22 state.

23 § 6. This act shall take effect immediately.