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:

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

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

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

2. In any action commenced pursuant to subdivision one of this section[~~,~~]**:**

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

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

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

5. In any action commenced pursuant to this section[~~,~~]**:**

(a) the finder of fact, in its discretion, may award injunctive relief, punitive damages **in addition to any imposed under paragraph (b) of this subdivision**, compensatory damages, and reasonable court costs 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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(b) the court shall impose punitive damages of twenty thousand dollars per violation found to have occurred.

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

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

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

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

§ 6. This act shall take effect immediately.