S T A T E  O F  N E W  Y O R K

4723

2015-2016 Regular Sessions

I N  A S S E M B L Y

February 5, 2015

Introduced by M. of A. MOYA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to creating the offense of unlawful dissemination of lewd images

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The penal law is amended by adding a new section 250.62 to read as follows:

S 250.62 UNLAWFUL DISSEMINATION OF LEWD IMAGES.

A PERSON IS GUILTY OF UNLAWFUL DISSEMINATION OF LEWD IMAGES WHEN:

1. HE OR SHE SELLS, PUBLISHES OR DISTRIBUTES IMAGES OF ANOTHER, IDENTIFIABLE PERSON, WHO IS IN A STATE OF FULL OR PARTIAL UNDRESS IN ANY AREA WHICH THE PERSON BEING PHOTOGRAPHED OR RECORDED HAS A REASONABLE EXPECTATION OF PRIVACY, WHERE THE PERSON BEING PHOTOGRAPHED OR RECORDED DID NOT CONSENT TO THE DISSEMINATION OF SUCH IMAGES.

2. NOTHING IN THIS SECTION PRECLUDES PUNISHMENT UNDER ANY SECTION OF LAW PROVIDING FOR GREATER PUNISHMENT.

UNLAWFUL DISSEMINATION OF LEWD IMAGES IS A CLASS E FELONY.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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