

2024 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE SCHLEGEL

1 AN ACT

2 To amend and reenact R.S. 14:283.2(A)(1) and (4) and (B)(3) and to enact R.S.
3 14:283.2(C)(5), relative to the nonconsensual disclosure of a private image; to
4 provide relative to the offense of nonconsensual disclosure of a private image; to
5 provide relative to the elements of the offense of nonconsensual disclosure of a
6 private image; to provide for exceptions; to provide for definitions; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:283.2(A)(1) and (4) and (B)(3) are hereby amended and reenacted
10 and R.S. 14:283.2(C)(5) is hereby enacted to read as follows:

11 §283.2. Nonconsensual disclosure of a private image

12 A. A person commits the offense of nonconsensual disclosure of a private
13 image when all of the following occur:

14 (1) The person intentionally discloses an image of another person ~~who is~~
15 ~~seventeen years of age or older~~, who is identifiable from the image or information
16 displayed in connection with the image; and either whose intimate parts are exposed
17 in whole or in part or who is engaged in sexual conduct.

18 * * *

19 (4) The person who discloses the image ~~has the intent to harass or cause~~
20 ~~emotional distress to the person in the image, and the person who commits the~~
21 ~~offense~~ knew or should have known that the disclosure could harass or cause
22 emotional distress to the person in the image.

1 B. Disclosure of an image under any of the following circumstances does not
2 constitute commission of the offense defined in Subsection A of this Section:

3 * * *

4 (3) When the person depicted in the image voluntarily or knowingly exposed
5 his or her intimate parts or engaged in sexual conduct in a public setting.

6 * * *

7 C. For purposes of this Section:

8 * * *

9 (5) "Sexual conduct" means actual or simulated vaginal, anal, or oral sexual
10 intercourse, deviant sexual intercourse, sexual bestiality, masturbation,
11 sadomasochistic abuse, or exhibition of the genitals.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA