

House Engrossed Senate Bill

computer-generated pictorial representations; unlawful disclosure

**State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025**

SENATE BILL 1462

AN ACT

**AMENDING SECTION 13-1425, ARIZONA REVISED STATUTES; RELATING TO SEXUAL
OFFENSES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-1425, Arizona Revised Statutes, is amended to read:

13-1425. Unlawful disclosure of images depicting states of nudity or specific sexual activities; classification; definitions

A. It is unlawful for a person to intentionally disclose an image of another person who is identifiable from the image itself or from information displayed in connection with the image if all of the following apply:

1. The person in the image is depicted in a state of nudity or is engaged in specific sexual activities.

2. The depicted person has a reasonable expectation of privacy. Evidence that a person has sent an image to another person using an electronic device does not, on its own, remove the person's reasonable expectation of privacy for that image. **UNLESS THE REALISTIC PICTORIAL REPRESENTATION IS CREATED OR MODIFIED BY THE DEPICTED PERSON, THIS PARAGRAPH DOES NOT APPLY TO AN IMAGE THAT IS A REALISTIC PICTORIAL REPRESENTATION.**

3. The image is disclosed with the intent to harm, harass, intimidate, threaten or coerce the depicted person.

B. This section does not apply to any of the following:

1. The reporting of unlawful conduct.

2. Lawful and common practices of law enforcement, criminal reporting, legal proceedings or medical treatment.

3. Images involving voluntary exposure in a public or commercial setting.

4. An interactive computer service, as defined in 47 United States Code section 230(f)(2), or an information service **OR CABLE SERVICE**, as defined in 47 United States Code section 153, with regard to content wholly provided by another party.

5. Any disclosure that is made with the consent of the person who is depicted in the image.

C. A violation of this section is a class 5 felony, except that a violation of this section is a:

1. Class 4 felony if the image is disclosed by electronic means.

2. Class 1 misdemeanor if a person threatens to disclose but does not disclose an image that if disclosed would be a violation of this section **OR IF THE IMAGE IS A REALISTIC PICTORIAL REPRESENTATION.**

D. For the purposes of this section:

1. "Disclose" means display, distribute, publish, advertise or offer.

2. "Disclosed by electronic means" means delivery to an email address, mobile device, tablet or other electronic device and includes disclosure on a website.

3. "Harm" means physical injury, financial injury or serious emotional distress.

4. "Image" means a photograph, videotape, film, ~~or~~ digital recording **OR REALISTIC PICTORIAL REPRESENTATION.**

5. **"REALISTIC PICTORIAL REPRESENTATION" MEANS:**

(a) **AN IMAGE THAT IS CREATED OR MODIFIED TO REASONABLY APPEAR TO BE AN ACTUAL IMAGE OF AN IDENTIFIABLE PERSON DEPICTED IN A STATE OF NUDITY OR ENGAGED IN SPECIFIC SEXUAL ACTIVITIES THAT DID NOT ACTUALLY OCCUR.**

(b) **DOES NOT INCLUDE AN IMAGE MADE IN THE PUBLIC INTEREST, INCLUDING SCIENTIFIC OR EDUCATIONAL ACTIVITIES, A NEWSWORTHY EVENT OR AN ISSUE OF PUBLIC CONCERN.**

~~5:~~ 6. "Reasonable expectation of privacy" means the person exhibits an actual expectation of privacy and the expectation is reasonable.

~~6:~~ 7. "Specific sexual activities" has the same meaning prescribed in section 11-811, subsection E, paragraph 18, subdivisions (a) and (b).

~~7:~~ 8. "State of nudity" has the same meaning prescribed in section 11-811, subsection E, paragraph 14, subdivision (a).