

HOUSE BILL 491

E1

4r0601

By: **Delegates Frick, Afzali, Arora, Barkley, Cardin, Cullison, DeBoy, Dwyer, Frush, George, Glenn, Gutierrez, Healey, Kaiser, A. Kelly, Lafferty, McComas, McDonough, Murphy, Niemann, Olszewski, Pena–Melnik, Reznik, Rudolph, Sophocleus, Stocksdales, Stukes, F. Turner, and Weir**
Introduced and read first time: January 27, 2014
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Intentionally Causing Emotional Distress – Distribution of**
3 **Images or Video**

4 FOR the purpose of prohibiting a person from intentionally causing serious emotional
5 distress by distributing an identifiable image or video of another person,
6 without the consent of the other person, that depicts certain portions of the
7 other person’s body; establishing a certain penalty for a violation of this Act;
8 and generally relating to intentionally causing emotional distress by
9 distributing images or videos.

10 BY adding to

11 Article – Criminal Law
12 Section 3–908
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 **3–908.**

19 **(A) A PERSON MAY NOT INTENTIONALLY CAUSE SERIOUS EMOTIONAL**
20 **DISTRESS BY DISTRIBUTING AN IDENTIFIABLE IMAGE OR A VIDEO OF ANOTHER**
21 **PERSON, WITHOUT THE CONSENT OF THE OTHER PERSON, THAT DEPICTS ANY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PORTION OF THE OTHER PERSON'S GENITALS, BUTTOCKS, OR, IF THE OTHER
2 PERSON IS FEMALE, BREASTS BELOW THE TOP OF THE AREOLA.

3 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
4 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
5 EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2014.