HOUSE BILL 145

E1 4lr0852 (PRE–FILED)

By: Delegates Pippy and Simpson

Requested: October 5, 2023

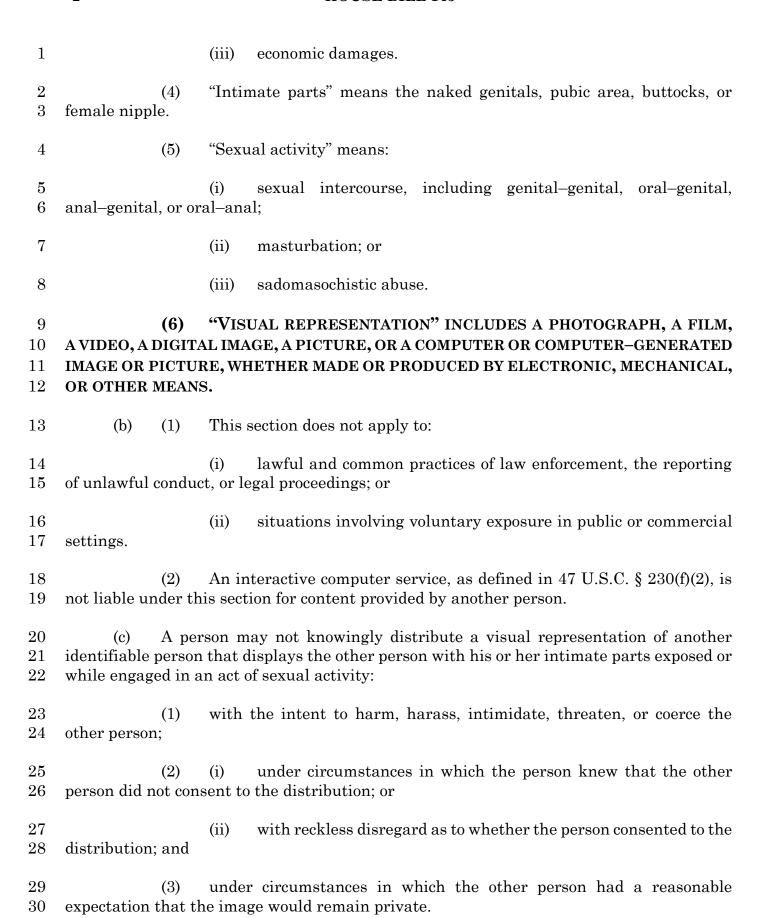
Introduced and read first time: January 10, 2024

Assigned to: Judiciary

A BILL ENTITLED

1	AN ACT concerning
2	Criminal Law - Revenge Porn - Visual Representation
3 4 5	FOR the purpose of clarifying what constitutes a visual representation for purposes of a certain prohibition against distributing a certain visual representation in a certain manner; and generally relating to visual representations and revenge porn.
6 7 8 9 10	BY repealing and reenacting, with amendments, Article – Criminal Law Section 3–809 Annotated Code of Maryland (2021 Replacement Volume and 2023 Supplement)
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:
13	Article - Criminal Law
14	3–809.
15	(a) (1) In this section the following words have the meanings indicated.
16 17 18	(2) "Distribute" means to give, sell, transfer, disseminate, publish, upload circulate, broadcast, make available, allow access to, or engage in any other form of transmission, electronic or otherwise.
19	(3) "Harm" means:
20	(i) physical injury;
21	(ii) serious emotional distress; or





1 (d) A person who violates this section is guilty of a misdemeanor and on conviction 2 is subject to imprisonment not exceeding 2 years or a fine not exceeding \$5,000 or both. 3 A visual representation of a victim that is part of a court record for a case arising from a prosecution under this section: 4 5 subject to item (2) of this subsection, may not be made available for 6 public inspection; and 7 except as otherwise ordered by the court, may only be made available 8 for inspection in relation to a criminal charge under this section to: 9 (i) court personnel; 10 a jury in a criminal case brought under this section; (ii) 11 (iii) the State's Attorney or the State's Attorney's designee; 12 the Attorney General or the Attorney General's designee; (iv) a law enforcement officer; 13 (v) the defendant or the defendant's attorney; or 14 (vi) 15 the victim or the victim's attorney. (vii)

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

16 17

October 1, 2024.