

COUNTRY-WISE LEGISLATION ON “REVENGE PORN” LAWS

- 1. Europe 4
- United Kingdom..... 4
 - England and Wales 4
 - Scotland 4
 - Northern Ireland..... 5
 - Malta 5
- Germany..... 6
- France..... 6
- 2. United States of America 7
 - Alabama 7
 - Alaska 7
 - Arizona..... 7
 - Arkansas..... 8
 - California 8
 - Colorado..... 8
 - Connecticut 8
 - Delaware 8
 - District of Columbia 9
 - Florida..... 9
 - Georgia..... 10

Hawaii	10
Idaho	10
Illinois	11
Iowa	11
Kansas	11
Louisiana.....	11
Maine	12
Maryland.....	12
Michigan	13
Minnesota.....	13
Nevada	13
New Hampshire	14
New Jersey.....	14
New Mexico.....	14
North Carolina	14
North Dakota.....	15
Oklahoma.....	15
Oregon	15
Pennsylvania	16
South Dakota.....	16
Tennessee.....	16
Texas	17
Utah.....	18
Vermont	18

Virginia 19

Washington 19

West Virginia 20

Wisconsin..... 20

3. Australia..... 20

 New South Wales..... 21

 South Australia..... 21

 Western Australia..... 22

 Victoria 22

4. Asia and Rest of the World..... 22

Canada 23

Philippines 23

Israel..... 24

Japan 25

1. Europe

Country	Statute	Year	Contents – definition, classification, punishment, standard of proof	Punishment	Remarks
<u>United Kingdom</u>					
England and Wales	Section 33, Criminal Justice and Courts Act 2015	2015	<ul style="list-style-type: none"> Makes it an offence in England and Wales to disclose private sexual photographs and films without the consent of the individual depicted and with the intent to cause distress. 	<ul style="list-style-type: none"> There is a maximum sentence of two years imprisonment 	<ul style="list-style-type: none"> A call has been made to cover a wider range of offences through enactment of a new Act. The law is not applicable retroactively.
Scotland	Part 1, Section 2, Abusive Behaviour and Sexual Harm Act, 2016	2016	<ul style="list-style-type: none"> A person (“A”) commits an offence if— <ul style="list-style-type: none"> (a) A discloses, or threatens to disclose, a photograph or film which shows, or appears to show, another person (“B”) in an intimate situation, (b) by doing so, A intends to cause B fear, alarm or distress or A is reckless as to whether B will be caused fear, alarm or distress, and (c) the photograph or film has not previously been disclosed to the public at large, or any section of the public, by B or with B’s consent. 	<ul style="list-style-type: none"> A person who commits such an offence is liable— <ul style="list-style-type: none"> (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both), (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both). 	

Northern Ireland	Part 3, Section 51 , Amendment to Justice Act	2016	<ul style="list-style-type: none"> It is an offence for a person to disclose a private sexual photograph or film if the disclosure is made— <ul style="list-style-type: none"> (a) without the consent of an individual who appears in the photograph or film, and (b) with the intention of causing that individual distress. 	<ul style="list-style-type: none"> A person guilty of an offence under this section is liable— <ul style="list-style-type: none"> (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both), and (b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both). 	
Malta	Article 208E , Maltese Criminal Code 2016	2016	<ul style="list-style-type: none"> It punishes whoever, with an intent to cause distress, emotional harm or harm of any nature, discloses a private sexual photograph or film without the consent of the person or persons displayed or depicted in such photograph or film. 	<ul style="list-style-type: none"> Such person would, on conviction be liable to imprisonment for a term of up to two years or to a fine of not less than €3,000 and not more than €5,000, or to both such imprisonment and fine 	

Germany	General Data Protection Regulation Art Copyright Law		<ul style="list-style-type: none"> • Regulation (EU) 679/2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation (GDPR)) • A person also has the right to object to the unauthorised dissemination or public display of his/her photograph (section 22, Art Copyright Law) 	<ul style="list-style-type: none"> • If privacy rights are infringed, the individual affected can seek civil law remedies, which include: Cease and desist orders, rectification and Compensatory damages. 	<ul style="list-style-type: none"> • In 2014, The Bundesgerichts hof (BGH), upheld an earlier ruling from a regional court in Koblenz, Germany, that said a man did not have the right to keep intimate photos of his ex-lover just because she had consented to taking them in the first place.
France	Digital Republic Act	2016	<ul style="list-style-type: none"> • Under the new law, the persons have a right to oppose the use of their personal data. 	<ul style="list-style-type: none"> • Revenge porn may be sanctioned by 2 years of imprisonment and a 60.000 euro fine. 	

2. United States of America

State	Statute	Year	Constituents of the offence	Punishment	Remarks
Alabama	SB301. Code of Alabama 1975 Secs 15-20A-4 to 15-20A-43 amended.	2017	<ul style="list-style-type: none"> • Distribution of an intimate, private image, also known as "revenge porn" or "nonconsensual pornography." The law applies when the depicted person has not consented to the transmission and the sender intends to harass or intimidate the depicted person. 	<ul style="list-style-type: none"> • A first offense is a Class A misdemeanor, punishable by up to a year in jail. Subsequent offenses are Class C felonies, punishable by up to 10 years in prison. 	
Alaska	Title 11. Criminal Law § 11.61.120		<ul style="list-style-type: none"> • Provides that whoever publishes or distributes electronic or printed photographs, pictures, or films that show the genitals, anus, or female breast of the other person or show that person engaged in a sexual act commits a crime of harassment in second degree. 	<ul style="list-style-type: none"> • Harassment in the second degree is a class B misdemeanor. • Class B misdemeanors are less serious crimes, punishable by up to 90 days in jail and a fine of up to \$2,000. 	
Arizona	Unlawful Distribution of Private Images, 2016 through amending Section 13-1425 of the Arizona Revised Statutes	2016	<ul style="list-style-type: none"> • It provides that the distribution of images depicting states of nudity or specific sexual activities of another person is unlawful. • If such disclosure is by electronic means, it is a Class 4 felony. • If the person threatens to disclose but does not disclose, then it is a Class 1 Misdemeanor. 	<ul style="list-style-type: none"> • Class 4 felonies are punishable up to 3.75 years in prison. • A class 1 misdemeanor is the most serious misdemeanor offense and is punishable by up to 6 months in jail, 3 years of probation (5 years maximum probation for DUI) 	<ul style="list-style-type: none"> • The earlier state revenge porn bill was scrapped due to an ACLU Lawsuit.

				offenses) and a \$2,500 fine plus surcharges.	
Arkansas	Arkansas Code 5-26-314	July, 2015	<ul style="list-style-type: none"> • It criminalizes the distribution of an image, picture, video, or voice or audio recording of a sexual nature to harass, frighten, intimidate, threaten, or abuse a family or household member or a person in a current or former dating relationship; and for other purposes. • Such an offence is a Class A misdemeanour. 	<ul style="list-style-type: none"> • A Class A misdemeanor is the most serious type of misdemeanor in Arkansas and it is punishable by up to one year in jail and a fine of up to \$2,500. 	<ul style="list-style-type: none"> • Defines a “dating relationship” as romantic/intimate relationship between two individuals and provides additional factors.
California	Section 647(j)(4) of California Penal Code	2014	<ul style="list-style-type: none"> • Under this provision an act of revenge porn is defined as someone who “photographs or records by any means the image of the intimate body part or parts of another identifiable person, under circumstances where the parties agree or understand that the image shall remain private, and the person subsequently distributes the image taken, with the intent to cause serious emotional distress, and the depicted person suffers serious emotional distress. 	<ul style="list-style-type: none"> • It shall be a disorderly conduct, misdemeanour. 	
Colorado	Colorado Revised Statutes 18-7-107 and 18-7-108.	2014	<ul style="list-style-type: none"> • Posting a Private Image for Harassment and Posting a Private Image for Pecuniary Gain is a Class 1 Misdemeanor. 	<ul style="list-style-type: none"> • The defendant can be fined up to \$10,000. 	
Connecticut	Section 53a-189a, Connecticut General Statutes	October 1, 2015	<ul style="list-style-type: none"> • It provides that whoever indulges in Unlawful dissemination of an intimate image is guilty 	<ul style="list-style-type: none"> • The offence is a class A misdemeanor. 	
Delaware	§ 1335, Title 11 of the Delaware Code	2014	<ul style="list-style-type: none"> • When a person knowingly reproduces, distributes, exhibits, publishes, transmits, or otherwise disseminates a visual depiction of a person who is nude, or who is engaging in sexual conduct, when the 	<ul style="list-style-type: none"> • It is a class A misdemeanor; class G felony. 	

			<p>person knows or should have known that the reproduction, distribution, exhibition, publication, transmission, or other dissemination was without the consent of the person depicted and that the visual depiction was created or provided to the person under circumstances in which the person depicted has a reasonable expectation of privacy, such person shall be guilty of violation of privacy.</p>		
District of Columbia	Criminalization of Non-Consensual Pornography Act	2014	<ul style="list-style-type: none"> It provides that a person knowingly discloses one or more sexual images of another identified or identifiable person when: <ul style="list-style-type: none"> (1) The person depicted did not consent to the disclosure of the sexual image; (2) There was an agreement or understanding between the person depicted and the person disclosing that the sexual image would not be disclosed; and (3) The person disclosed the sexual image with the intent to harm the person depicted person depicted or to receive financial gain. (b) A person who violates this subsection shall be guilty of a misdemeanor. 	<ul style="list-style-type: none"> Upon conviction such person shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, approved June 11, 2013 (D.C. Law 19-317; D.C.42 Official Code § 22-3571.01), imprisoned for not more than 180 days, or both. 	
Florida	Florida Statute Section 784.049	2015	<ul style="list-style-type: none"> “Sexually cyberharass” means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person’s consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. 	<ul style="list-style-type: none"> A person who willfully and maliciously sexually cyberharasses another person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If a person who has one prior conviction for sexual cyber harassment and who 	<ul style="list-style-type: none"> Aggrieved person can also initiate civil action to recover damages.

				commits a second or subsequent sexual cyber harassment commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.	
Georgia	Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia	2014	<ul style="list-style-type: none"> Whoever Electronically transmits or posts or causes such transmission or posting, in one or more transmissions or posts, a photograph or video which depicts nudity or sexually explicit conduct of an adult when the transmission or post is harassment or causes financial loss to the depicted person and serves no legitimate purpose to the depicted person. 	<ul style="list-style-type: none"> Such person shall be guilty of a misdemeanor of a high and aggravated nature; provided, however, that upon a second or subsequent violation of this Code section, he or she shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment of not less than one nor more than five years, a fine of not more than \$100,000.00, or both. 	<ul style="list-style-type: none"> There is a rebuttable presumption on the Internet Service Provider that it was not aware of the content of such post
Hawaii	Section 711-1110.9, Hawaii Revised Statutes	2014	<ul style="list-style-type: none"> A person commits the offense of violation of privacy in the first degree if The person knowingly discloses an image or video of another identifiable person either in the nude, as defined in section 712-1210, or engaging in sexual conduct, as defined in section 712-1210, without the consent of the depicted person, with intent to harm substantially the depicted person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships. 	<ul style="list-style-type: none"> Violation of privacy in the first degree is a class C felony. In addition to any penalties the court may impose, the court may order the destruction of any recording made in violation of this section 	<ul style="list-style-type: none"> Exception has been carved out for When the person was voluntarily nude in public or voluntarily engaging in sexual conduct in public.
Idaho	Idaho Code 18-6609(2)(b)	2017	<ul style="list-style-type: none"> Intentionally or with reckless disregard disseminating, publishing or selling (or conspiring) any image or 	<ul style="list-style-type: none"> The punishments are decided on a case by 	

			images of the intimate areas of another person or persons without the consent of such other person or persons and he knows or reasonably should have known that one or both parties agreed or understood that the images should remain private.	case basis, but seem to range from state prison terms of three to five years, and/or a fine of up to \$5,000 based on the cases that have emerged	
Illinois	Section 11-23.5 of The Illinois Criminal Code of 2012	2015	<ul style="list-style-type: none"> • Criminalises the Non-Consensual Dissemination of Private Sexual Images. 	<ul style="list-style-type: none"> • It is a Class 4 Felony. 	
Iowa	Section 708.7 of the Code of 2017	2017	<ul style="list-style-type: none"> • Dissemination, publication, distribution or causing it thereof of photograph or film showing another person in partial or full nudity or engaged in a sex act, without consent, is harassment. 	<ul style="list-style-type: none"> • Such an offence is harassment in first degree and is an aggravated misdemeanour 	
Kansas	Section 21-6101(a)(8) of Kansas State Act	2016	<ul style="list-style-type: none"> • Breach of privacy is knowingly and without lawful authority: disseminating any videotape, photograph, film or image of another identifiable person 18 years of age or older who is nude or engaged in sexual activity and under circumstances in which such identifiable person had a reasonable expectation of privacy, with the intent to harass, threaten or intimidate such identifiable person, and such identifiable person did not consent to such dissemination 	<ul style="list-style-type: none"> • Such an offence is a Severity level 8, person felony 	
Louisiana	R.S. 14:283.2	2015	<ul style="list-style-type: none"> • A person commits the offense of non-consensual disclosure of a private image when all of the following occur: (1) The person intentionally discloses an image of another person who is seventeen years of age or older, who is identifiable from the image or information displayed in connection with the image, and whose intimate parts are exposed in whole or in part. (2) The person who discloses the image obtained it under circumstances in which a reasonable person would know or understand that the image was to 	<ul style="list-style-type: none"> • Whoever commits the offense of non-consensual disclosure of a private image shall be fined not more than ten thousand dollars, imprisoned with or without hard labour for not more than two years, or both 	<ul style="list-style-type: none"> • No liability is imposed on the computer service used for posting such image

			<p>remain private.</p> <p>(3) The person who discloses the image knew or should have known that the person in the image did not consent to the disclosure of the image.</p> <p>(4) The person who discloses the image has the intent to harass or cause emotional distress to the person in the image, and the person who commits the offense knew or should have known that the disclosure could harass or cause emotional distress to the person in the image</p>		
Maine	Section 17-A MRSA §511-A	2015	<ul style="list-style-type: none"> A person is guilty of unauthorized dissemination of certain private images if the person, with the intent to harass, torment or threaten the depicted person or another person, knowingly disseminates, displays or publishes a photograph, videotape, film or digital recording of another person in a state of nudity or engaged in a sexual act or engaged in sexual contact in a manner in which there is no public or newsworthy purpose when the person knows or should have known that the depicted person: <ul style="list-style-type: none"> (1) Is 18 years of age or older; (2) Is identifiable from the image itself or information displayed in connection with the image; and (3) Has not consented to the dissemination, display or publication of the private image. 	<ul style="list-style-type: none"> Unauthorized dissemination of certain private images is a Class D crime. 	
Maryland	§ 3-809, Maryland Code.	2014	<ul style="list-style-type: none"> A person may not intentionally cause serious emotional distress to another by intentionally placing on the internet an identifiable a photograph, film, videotape, recording, or any other reproduction of the image of the other person that reveals the identity of the other person with his or her intimate parts exposed or while engaged in an act of sexual contact: <ul style="list-style-type: none"> (1) knowing that the other person did not consent to the placement of the image on the internet; and (2) under circumstances in which the other person had a reasonable expectation that the image would be kept private. 	<ul style="list-style-type: none"> A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$5,000 or both. 	

Michigan	Sec 145e of MCL	2016	<ul style="list-style-type: none"> If a person threatens, coerces, or intimidates dissemination of any sexually explicit visual material of another person shall be punishable under section 145f. 	<ul style="list-style-type: none"> Section 145f- first offense punishable by 93 day sentence or fine up to \$500. 	
Minnesota	§ 617.261, Minnesota Statutes	2016	<ul style="list-style-type: none"> A cause of action against a person for the nonconsensual dissemination of private sexual images exists when: <ul style="list-style-type: none"> (1) a person disseminated an image without the consent of the person depicted in the image; (2) the image is of an individual depicted in a sexual act or whose intimate parts are exposed in whole or in part; (3) the person is identifiable: <ul style="list-style-type: none"> (i) from the image itself, by the person depicted in the image or by another person; or (ii) from the personal information displayed in connection with the image; and (4) the image was obtained or created under circumstances in which the person depicted had a reasonable expectation of privacy. The fact that the individual depicted in the image consented to the creation of the image or to the voluntary private transmission of the image is not a defense to liability for a person who has disseminated the image without consent. 	<ul style="list-style-type: none"> Conviction for nonconsensual dissemination of private sexual images qualifies as a prior “qualified domestic violence-related offense” that enhances penalties for convictions for domestic assault, 4th & 5th degree assault, stalking, and violation of a harassment restraining order. 	<ul style="list-style-type: none"> Consent to such image being taken is no defense
Nevada	Sections 2-6 of Chapter 200 of NRS	2015	<ul style="list-style-type: none"> A person commits the crime of unlawful dissemination of an intimate image when, with the intent to harass, harm or terrorize another person, the person electronically disseminates or sells an intimate image which depicts the other person and the other person: <ul style="list-style-type: none"> (1) did not give prior consent to the electronic dissemination or sale; (2) had a reasonable expectation that the intimate image would be kept private and would not be made visible to the public; and 	<ul style="list-style-type: none"> Such person is guilty of a category D felony 	

			(3) was at least 18 years of age when the intimate image was created		
New Hampshire	§ 644:9-a, N.H. Rev. Stat.	2016	<ul style="list-style-type: none"> Nonconsensual dissemination of private sexual images with the intent to harass, intimidate, threaten, or coerce the depicted person. 	<ul style="list-style-type: none"> It is a felony. 	
New Jersey	§ 2C:14-9, New Jersey Code	2015	<ul style="list-style-type: none"> Making a nonconsensual recording that reveals another person's "intimate parts" or shows the person engaged in a sexual act without consent. 	<ul style="list-style-type: none"> Felony, three to five years in prison, a fine not to exceed \$15,000. 	
New Mexico	HB 142, new section added to the New Mexico Criminal Code	2015	<ul style="list-style-type: none"> Unauthorized distribution of sensitive images without that person's consent with the intent to harass, humiliate or intimidate that person or cause substantial emotional distress is a misdemeanor. 	<ul style="list-style-type: none"> It is a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony 	
North Carolina	§ 14-190.5A, Article 26 of Chapter 14 of the General Statutes	2015	<ul style="list-style-type: none"> A person is guilty of disclosure of private images if all of the following apply: <ul style="list-style-type: none"> (1) The person knowingly discloses an image of another person with the intent to do either of the following: <ul style="list-style-type: none"> a. Coerce, harass, intimidate, demean, humiliate, or cause financial loss to the depicted person. b. Cause others to coerce, harass, intimidate, demean, humiliate, or cause financial loss to the depicted person. (2) The depicted person is identifiable from the disclosed image itself or information offered in connection with the image. (3) The depicted person's intimate parts are exposed or the depicted person is engaged in sexual conduct in the disclosed image. (4) The person discloses the image without the affirmative consent of the depicted person. (5) The person discloses the image under circumstances such that the person knew or should have known that the depicted person had a reasonable expectation of privacy. 	<ul style="list-style-type: none"> For an offense by a person who is 18 years of age or older at the time of the offense, the violation is a Class H felony. For a first offense by a person who is under 18 years of age at the time of the offense, the violation is a Class 1 misdemeanor. For a second or subsequent offense by a person who is under the age of 18 at the time of the offense, the violation is a Class H felony 	<ul style="list-style-type: none"> The Court may order destruction of such image. This provision is in addition to civil and criminal remedies.

North Dakota	Section 12.1-17-07.2 of the North Dakota Century Code	2015	<ul style="list-style-type: none"> • A person commits the offense of distribution of intimate images if the person knowingly or intentionally distributes to any third party any intimate image of an individual eighteen years of age or older, if: <ul style="list-style-type: none"> (1) The person knows that the depicted individual has not given consent to the person to distribute the intimate image; (2) The intimate image was created by or provided to the person under circumstances in which the individual has a reasonable expectation of privacy; and (3) Actual emotional distress or harm is caused to the individual as a result of the distribution under this section. 	<ul style="list-style-type: none"> • Distribution of an intimate image is a class A misdemeanor 	
Oklahoma	Section 1040.13b of Title 21, Oklahoma Statutes	2016	<ul style="list-style-type: none"> • A person commits nonconsensual dissemination of private sexual images when he or she: <ul style="list-style-type: none"> (1) Intentionally disseminates an image of another person: <ul style="list-style-type: none"> a. who is at least eighteen (18) years of age, b. who is identifiable from the image itself or information displayed in connection with the image, and c. who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; (2) Disseminates the image with the intent to harass, intimidate or coerce the person, or under circumstances in which a reasonable person would know or understand that dissemination of the image would harass, intimidate or coerce the person (3) Obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and (4) Knows or a reasonable person should have known that the person in the image has not consented to the dissemination. 	<ul style="list-style-type: none"> • Any person who violates the provisions of this section shall be guilty of a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than. • One Thousand Dollars (\$1,000.00), or both such fine and imprisonment 	<ul style="list-style-type: none"> • The court shall have the authority to order the defendant to remove the disseminated image should the court find it is in the power of the defendant to do so.
Oregon	ORS 161.005	2015	<ul style="list-style-type: none"> • (1) A person commits the crime of unlawful 	<ul style="list-style-type: none"> • Unlawful dissemination 	

			<p>dissemination of an intimate image if:</p> <p>(a) The person, with the intent to harass, humiliate or injure another person, knowingly causes to be disclosed through an Internet website an identifiable image of the other person whose intimate parts are visible or who is engaged in sexual conduct;</p> <p>(b) The person knows or reasonably should have known that the other person does not consent to the disclosure;</p> <p>(c) The other person is harassed, humiliated or injured by the disclosure; and</p> <p>(d) A reasonable person would be harassed, humiliated or injured by the disclosure.</p>	<p>of an intimate image is a Class A misdemeanor.</p> <ul style="list-style-type: none"> Unlawful dissemination of an intimate image is a Class C felony if the person has a prior conviction under this section at the time of the offense. 	
Pennsylvania	Title 18 Pennsylvania Consolidated Statutes § 3131	2014	<ul style="list-style-type: none"> A person commits the offense of unlawful dissemination of intimate image if, with intent to harass, annoy or alarm a current or former sexual or intimate partner, the person disseminates a visual depiction of the current or former sexual or intimate partner in a state of nudity or engaged in sexual conduct. 	<ul style="list-style-type: none"> An offense shall be: <ul style="list-style-type: none"> (1) A misdemeanor of the first degree, when the person depicted is a minor. (2) A misdemeanor of the second degree, when the person depicted is not a minor. 	
South Dakota	Section 4 of Chapter 22-21 of South Dakota Code of Laws	2015	<ul style="list-style-type: none"> No person may use or disseminate in any form any visual recording or photographic device to photograph or visually record any other person without clothing or under or through the clothing, or with another person depicted in a sexual manner, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to self-gratify, to harass, or embarrass and invade the privacy of that other person, under circumstances in which the other person has a reasonable expectation of privacy. 	<ul style="list-style-type: none"> A violation of this section is a Class 1 misdemeanor. However, a violation of this section is a Class 6 felony if the victim is seventeen years of age or younger and the perpetrator is at least twenty-one years old. 	
Tennessee	Chapter 872 Tenn. Pub. Act	2017	<ul style="list-style-type: none"> (a) A person commits unlawful exposure who, with the intent to cause emotional distress, distributes an image of the intimate part or parts of another identifiable person if: 	<ul style="list-style-type: none"> A violation of subsection (a) is a Class A misdemeanor. However, nothing in 	

			<p>(1) The image was photographed or recorded under circumstances where the parties agreed or understood that the image would remain private; and</p> <p>(2) The person depicted in the image suffers emotional distress.</p> <p>(b) As used in this section:</p> <p>(1) "Emotional distress" has the same meaning as defined in § 39-17-315; and</p> <p>(2) "Intimate part" means any portion of the primary genital area, buttock, or any portion of the female breast below the top of the areola that is either uncovered or visible through less than fully opaque clothing.</p>	<p>this section precludes punishment under any other section of law providing for greater punishment.</p>	
Texas	Chapter 98B, A Title 4, Civil Practice and Remedies Code	2015	<ul style="list-style-type: none"> • (a) A defendant is liable, as provided by this chapter, to a person depicted in intimate visual material for damages arising from the disclosure of the material if: <ul style="list-style-type: none"> (1) the defendant discloses the intimate visual material without the effective consent of the depicted person; (2) the intimate visual material was obtained by the defendant or created under circumstances in which the depicted person had a reasonable expectation that the material would remain private; (3) the disclosure of the intimate visual material causes harm to the depicted person; and (4) the disclosure of the intimate visual material reveals the identity of the depicted person in any manner, including through: <ul style="list-style-type: none"> (A) any accompanying or subsequent information or material related to the intimate visual material; or (B) information or material provided by a third party in response to the disclosure of the intimate visual material 	<ul style="list-style-type: none"> • An offense under this section is a Class A misdemeanor. • If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both. 	<ul style="list-style-type: none"> • Aggrieved person may recover actual and exemplary damages. • The provisions shall be liberally construed by the courts to promote its underlying purpose to protect persons from, and provide adequate remedies to victims of, the disclosure or promotion of intimate visual

			(b) defendant is liable, as provided by this chapter, to a person depicted in intimate visual material for damages arising from the promotion of the material if, knowing the character and content of the material, the defendant promotes intimate visual material described by Subsection (a) on an Internet website or other forum for publication that is owned or operated by the defendant.		material.
Utah	§ 76-5b-203, Utah Code.	2014	<ul style="list-style-type: none"> An actor commits the offense of distribution of intimate images if the actor, with the intent to cause emotional distress or harm, knowingly or intentionally distributes to any third party any intimate image of an individual who is 18 years of age or older, if: <ul style="list-style-type: none"> (a) the actor knows that the depicted individual has not given consent to the actor to distribute the intimate image; (b) the intimate image was created by or provided to the actor under circumstances in which the individual has a reasonable expectation of privacy; and (c) actual emotional distress or harm is caused to the person as a result of the distribution under this section. 	<ul style="list-style-type: none"> Distribution of an intimate image is a class A misdemeanor. 	
Vermont	Sec. 2. 13 V.S.A. § 2606	2015	<ul style="list-style-type: none"> A person violates this section if he or she knowingly discloses a visual image of an identifiable person who is nude or who is engaged in sexual conduct, without his or her consent, with the intent to harm, harass, intimidate, threaten, or coerce the person depicted, and the disclosure would cause a reasonable person to suffer harm. A person may be identifiable from the image itself or information offered in connection with the image. Consent to recording of the visual image does not, by itself, constitute consent for disclosure of the image. 	<ul style="list-style-type: none"> A person who violates this provision shall be imprisoned not more than two years or fined not more than \$2,000.00, or both. A person who violates this provision with the intent of disclosing the image for financial profit shall be imprisoned not more than five years or fined not more than 	<ul style="list-style-type: none"> In addition, the Court may order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the

				\$10,000.00, or both.	image. <ul style="list-style-type: none"> The Court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.
Virginia	§ 18.2-386.2, Code of Virginia	2014	<ul style="list-style-type: none"> Any person who, with the intent to coerce, harass, or intimidate, maliciously disseminates or sells any videographic or still image created by any means whatsoever that depicts another person who is totally nude, or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast, where such person knows or has reason to know that he is not licensed or authorized to disseminate or sell such videographic or still image is guilty. 	<ul style="list-style-type: none"> Such an offense is a Class 1 misdemeanor. 	
Washington	Title 9A RCW	2015	<ul style="list-style-type: none"> A person commits the crime of disclosing intimate images when the person knowingly discloses an intimate image of another person and the person disclosing the image: <ul style="list-style-type: none"> (a) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private; (b) Knows or should have known that the depicted person has not consented to the disclosure; and¹⁰ (c) Knows or reasonably should know that disclosure would cause harm to the depicted person. 	<ul style="list-style-type: none"> The crime of disclosing intimate images: <ul style="list-style-type: none"> (a) Is a gross misdemeanor on the first offense; or (b) Is a class C felony if the defendant has one or more prior convictions for disclosing intimate images. 	<ul style="list-style-type: none"> A person who is under the age of eighteen is not guilty of the crime of disclosing intimate images unless the person: <ul style="list-style-type: none"> (a) Intentionally and maliciously disclosed an intimate image of another person; (b) Obtained it under circumstances in

					<p>which a reasonable person would know or understand that the image was to remain private; and</p> <p>(c) Knows or should have known that the depicted person has not consented to the disclosure</p>
West Virginia	§61-8-28a, Code of West Virginia	2017	<ul style="list-style-type: none"> No person may knowingly and intentionally disclose, cause to be disclosed or threaten to disclose, with the intent to harass, intimidate, threaten, humiliate, embarrass, or coerce, an image of another which shows the intimate parts of the depicted person or shows the depicted person engaged in sexually explicit conduct which was captured under circumstances where the person depicted had a reasonable expectation that the image would not be publicly disclosed. 	<ul style="list-style-type: none"> A person convicted is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than one year, fined not less than \$1,000 nor more than \$5,000, or both confined and fined. 	
Wisconsin	§ 942.09, Code of Wisconsin	2014	<ul style="list-style-type: none"> It provides for posting or publishing a sexually explicit image without consent and providing a penalty. Such an offence is a Class A misdemeanor. 	<ul style="list-style-type: none"> Class A misdemeanors can result in fines up to \$10,000, imprisonment up to 9 months or a combination of the two. 	

3. [Australia](#)

Country	Statute	Year	Contents – definition, classification, punishment, standard of proof	Punishment	Remarks
New South Wales	Section 91Q, Crimes Act 1900	2018	<ul style="list-style-type: none"> A person who intentionally distributes an intimate image of another person: <ul style="list-style-type: none"> (a) without the consent of the person, and (b) knowing the person did not consent to the distribution or being reckless as to whether the person consented to the distribution, is guilty of an offence. "intimate image" means: <ul style="list-style-type: none"> (a) an image of a person's private parts, or of a person engaged in a private act, in circumstances in which a reasonable person would reasonably expect to be afforded privacy, or (b) an image that has been altered to appear to show a person's private parts, or a person engaged in a private act, in circumstances in which a reasonable person would reasonably expect to be afforded privacy. 	<ul style="list-style-type: none"> Maximum penalty: 100 penalty units or imprisonment for 3 years, or both. 	
South Australia	Summary Offences Act 1953	2018	<ul style="list-style-type: none"> A person who distributes an invasive image of another person, knowing or having reason to believe that the other person— <ul style="list-style-type: none"> (a) does not consent to that particular distribution of the image; or (b) does not consent to that particular distribution of the image and does not consent to distribution of the image generally, is guilty of an offence. An image of a person will be taken to be an invasive image of the person if it depicts the person in a place other than a public place— <ul style="list-style-type: none"> (a) engaged in a private act; or (b) in a state of undress such that— <ul style="list-style-type: none"> (i) in the case of a female—the bare breasts are visible; or (ii) in any case—the bare genital or anal region is visible. (3) However, an image of a person that falls within the standards of morality, decency and propriety generally accepted by reasonable adults in the community will not be 	<ul style="list-style-type: none"> Maximum penalty: <ul style="list-style-type: none"> (a) if the invasive image is of a person under the age of 17 years—\$20000 or imprisonment for 4 years; (b) in any other case—\$10 000 or imprisonment for 2 years. 	

			taken to be an invasive image of the person.		
Western Australia	Section 10G/61, Restraining Orders and Related Legislation Amendment (Family Violence) Act 2016	2016	<ul style="list-style-type: none"> A court may restrain the respondent from doing all or any of the following in the case of a family violence restraining order: distributing or publishing, or threatening to distribute or publish, intimate personal images of the person seeking to be protected; 	<ul style="list-style-type: none"> 2 years imprisonment. 	<ul style="list-style-type: none"> Check comes into play only in case of a family violence restraining order and is not general protection.
Victoria	Section 41C, Summary Offences Act 1966	2012	<ul style="list-style-type: none"> A person who visually captures or has visually captured an image of another person's genital or anal region must not intentionally distribute that image. 	<ul style="list-style-type: none"> 2 years imprisonment. 	

4. [Asia and Rest of the World](#)

Country	Statute	Year	Contents – definition, classification, punishment, standard of proof	Punishment	Remarks
Canada	Section 162.1, Criminal Code through Bill C-13 or Cyberbullying Act	2015	<ul style="list-style-type: none"> • Everyone who knowingly publishes, distributes, transmits, sells, makes available or advertises an intimate image of a person knowing that the person depicted in the image did not give their consent to that conduct, or being reckless as to whether or not that person gave their consent to that conduct, is guilty. • In this section, “intimate image” means a visual recording of a person made by any means including a photographic, film or video recording, <ul style="list-style-type: none"> (a) in which the person is nude, is exposing his or her genital organs or anal region or her breasts or is engaged in explicit sexual activity; (b) in respect of which, at the time of the recording, there were circumstances that gave rise to a reasonable expectation of privacy; and (c) in respect of which the person depicted retains a reasonable expectation of privacy at the time the offence is committed. 	<ul style="list-style-type: none"> • Punishment is: <ul style="list-style-type: none"> (a) of an indictable offence and liable to imprisonment for a term of not more than five years; or (b) of an offence punishable on summary conviction. 	
Philippines	Anti-Photo and Video Voyeurism Act of 2009		<ul style="list-style-type: none"> • It is hereby prohibited and declared unlawful for any person: <ul style="list-style-type: none"> (a) To take photo or video coverage of a person or group of persons performing sexual act or any similar activity or to capture an image of the private area of a person/s such as the naked or undergarment clad genitals, public area, buttocks or female breast without the consent of the person/s involved and under circumstances in which the person/s has/have a reasonable expectation of privacy; (b) To copy or reproduce, or to cause to be copied or reproduced, such photo or video or recording of sexual act or any similar activity with or without consideration; (c) To sell or distribute, or cause to be sold or distributed, such photo or video or recording of sexual act, whether it 	<ul style="list-style-type: none"> • The penalty of imprisonment of not less than three (3) years but not more than seven (7) years and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both, at the discretion of the court shall be imposed upon any person found guilty of violating Section 4 of this Act. 	

			<p>be the original copy or reproduction thereof; or</p> <p>(d) To publish or broadcast, or cause to be published or broadcast, whether in print or broadcast media, or show or exhibit the photo or video coverage or recordings of such sexual act or any similar activity through VCD/DVD, internet, cellular phones and other similar means or device.</p> <ul style="list-style-type: none"> The prohibition under paragraphs (b), (c) and (d) shall apply notwithstanding that consent to record or take photo or video coverage of the same was given by such person/s. Any person who violates this provision shall be liable for photo or video voyeurism as defined herein. 	<ul style="list-style-type: none"> If the violator is a juridical person, its license or franchise shall be automatically be deemed revoked and the persons liable shall be the officers thereof including the editor and reporter in the case of print media, and the station manager, editor and broadcaster in the case of a broadcast media. If the offender is a public officer or employee, or a professional, he/she shall be administratively liable. If the offender is an alien, he/she shall be subject to deportation proceedings after serving his/her sentence and payment of fines. 	
Israel	Prevention of Sexual Harassment Law, 5758-1998 amended in 2014	2014	<ul style="list-style-type: none"> The distribution of still pictures or video recordings of a person's image that focuses on his/her sexuality, including by editing or incorporation, is unlawful if made: <ol style="list-style-type: none"> without the person's consent; in a way that facilitates identification of the person; and under circumstances that may degrade or shame him/her The distribution of such an image constitutes sexual 	<ul style="list-style-type: none"> The crimes are punishable with five years of imprisonment, in addition to subjecting the perpetrator to civil liability and the duty to pay monetary 	

			harassment under section 3(a) of the Prevention of Sexual Harassment Law and intentional harm to a person's privacy under section 5 of the Protection of Privacy Law.	compensation to the victim.	
Japan	Act on Prevention of Damage by Provision of Private Sexual Image Records Act	2014	<ul style="list-style-type: none"> • It criminalizes the provision of a private sexual image of another person without the person's approval via a means of telecommunication to an unspecified number of or to many people. • It allows Internet service providers to delete suspected revenge porn images without the uploader's consent, in cases where: <ol style="list-style-type: none"> 1. the victim had notified the provider of the existence of the image; 2. the provider had requested the consent of the uploader to delete the image; and 3. the uploader did not respond or delete the image. 	<ul style="list-style-type: none"> • A maximum sentence of 500,000 yen or three years in jail. 	<ul style="list-style-type: none"> • The Act also obligates the national and local governments to ease victims' embarrassment when they report the crime. • For especially young potential victims, the Act further obligates the governments to educate people on how to avoid revenge porn.