

Senate Bill 337

By: Senators Thompson of the 14th, Robertson of the 29th, Dugan of the 30th, Gooch of the 51st, Miller of the 49th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 3 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to invasion of privacy, so as to include falsely created videographic or
3 still images of other persons within the prohibition against the transmission of photography
4 or videos depicting nudity or sexually explicit conduct of another person under certain
5 circumstances; to provide for related matters; to provide for an effective date and
6 applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 3 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
10 relating to invasion of privacy, is amended by revising subsection (b) of Code
11 Section 16-11-90, relating to prohibition on nude or sexually explicit electronic
12 transmissions, as follows:

13 "(b) A person violates this Code section if he or she, knowing the content of a transmission
14 or post, knowingly and without the consent of the depicted person:

15 (1) Electronically transmits or posts, in one or more transmissions or posts, a photograph
16 or video which depicts nudity or sexually explicit conduct of an adult, including a falsely
17 created videographic or still image, when the transmission or post is harassment or causes
18 financial loss to the depicted person and serves no legitimate purpose to the depicted
19 person; or

20 (2) Causes the electronic transmission or posting, in one or more transmissions or posts,
21 of a photograph or video which depicts nudity or sexually explicit conduct of an adult,
22 including a falsely created videographic or still image, when the transmission or post is
23 harassment or causes financial loss to the depicted person and serves no legitimate
24 purpose to the depicted person.

25 Nothing in this Code section shall be construed to impose liability on an interactive
26 computer service, as such term is defined in 47 U.S.C. 230(f)(2), or an information service

27 or telecommunications service, as such terms are defined in 47 U.S.C. 153, for content
28 provided by another person."

29 **SECTION 2.**

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval and shall apply to all conduct occurring on or after such date.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.