

Introduced by

Representatives Delmore, Koppelman, Sanford

Senators Olafson, Nelson, Lyson

1 A BILL for an Act to amend and reenact subsection 1 of section 12.1-27.1-03.3 of the North  
2 Dakota Century Code, relating to the creation, possession, or dissemination of sexually  
3 expressive images.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 12.1-27.1-03.3 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 1. A person is guilty of a class A misdemeanor if, knowing of its character and content,  
8 that person:

- 9 a. Without written consent from each individual who has a reasonable expectation  
10 of privacy in the image, surreptitiously creates or willfully possesses a sexually  
11 expressive image that was surreptitiously created; or  
12 b. Distributes or publishes, electronically or otherwise, a sexually expressive image  
13 with the intent to cause emotional harm or humiliation to any individual depicted  
14 in the sexually expressive image who has a reasonable expectation of privacy in  
15 the image, or after being given notice by an individual or parent or guardian of the  
16 individual who is depicted in a sexually expressive image that the individual,  
17 parent, or guardian does not consent to the distribution or publication of the  
18 sexually expressive image.