

UDIAA (12/29/16 Draft Summary)

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§1. SHORT TITLE

§2. DEFINITIONS

- (1) Disclose includes transferring, publishing, distributing, or reproducing
- (2) Image
- (3) Intimate Parts
- (4) Sexual Conduct
- (5) Personal Information
- (6) Identifying Characteristics

§3. PROTECTION OF VISUAL MATERIAL

- (a) Person may not disclose or threaten to disclose (A) person's intimate parts or sexual conduct if (B) person is identifiable or (C) image obtained with reason to know it was private or (D) knowingly obtained under false pretenses, without or exceeding authorization
- (b) No liability if (1) person agrees, (2) recorded in public place without expectation of privacy, or (3) in public interest, law enforcement, legal proceedings, medical, educational, etc. A public figure does not mean in public interest.

§4. CIVIL ACTION

- (a) Court may order injunctive relief for violating §(3)(a) including (1) injunction (2) actual damages including emotional distress and economic damages (3) punitive damages and (4) attorney fees
- (b) Plaintiff may proceed using pseudonym, (1) court proceedings and documents shall protect identity through redaction, etc. (2) responsibility for redacting documents lies with the parties.

§5. LIMITATIONS

- (a) Nothing herein shall alter rights found in 47 U.S. § 230, or (b) limit plaintiff from securing other remedies.

§6. SEVERABILITY

§7. STATUTE OF LIMITATIONS

Four years after last actual or threatened disclosure

§8. EFFECTIVE DATE