Legislation Details (With Text)

File #:	Int 0311-2022	**Version:**	*	**Name:**	Prohibiting certain unsolicited disclosures of intimate images.
Type:	Introduction			**Status:**	Filed (End of Session)
				In control:	Committee on Public Safety
On agenda:	5/5/2022				
Enactment date:				**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain unsolicited disclosures of intimate images				
Sponsors:	Joseph C. Borelli, Rita C. Joseph, Robert F. Holden, Kalman Yeger, Shaun Abreu, Joann Ariola, (by request of the Queens Borough President)				
Indexes:					
Attachments:	1. Summary of Int. No. 311, 2. Int. No. 311, 3. May 5, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 5-5-22, 5. Minutes of the Stated Meeting - May 5, 2022				

Date	Ver.	Action By	Action	Result
5/5/2022	*	City Council	Introduced by Council	
5/5/2022	*	City Council	Referred to Comm by Council	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 311

By Council Members Borelli, Joseph, Holden, Yeger, Abreu and Ariola (by request of the Queens Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain unsolicited disclosures of intimate images

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-181 to read as follows:

§ 10-181 Unsolicited disclosure of an intimate image. a. Definitions. As used in this section, the following terms have the following meanings:

Intent to harass, annoy or alarm. The term “intent to harass, annoy or alarm” has the same meaning as used in section 240.26 of the penal law.

Intimate body parts. The term “intimate body parts” means the genitals, pubic area or anus of any

person.

Intimate image. The term "intimate image" means a photograph, film, videotape, recording or any other reproduction of an image of an individual with fully or partially exposed intimate body parts or engaged in sexual activity.

Send by electronic device. The term "send by electronic device" means to send using a cellular telephone or any other electronic communication device, including devices capable of sending text messages or e-mails.

Sexual activity. The term "sexual activity" means sexual intercourse as defined in subdivision 1 of section 130.00 of the penal law, oral sexual conduct or anal sexual conduct as those terms are defined in subdivision 2 of section 130.00 of the penal law, touching of the intimate body parts of a person for the purpose of gratifying sexual desire, sexual penetration with any object or the transmission or appearance of semen upon any part of the depicted individual's body.

b. Unsolicited disclosure of an intimate image. It is unlawful for a person, with the intent to harass, annoy or alarm another person, to send by electronic device an unsolicited intimate image to such other person.

c. Criminal penalty. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by up to one year in jail, or a fine of up to $1,000, or both.

§ 2. Section 10-181 of the administrative code of the city of New York, as added by local law number 66 for the year 2020 is renumbered as section 10-182.

§ 3. Section 10-182 of the administrative code of the city of New York, as added by local law number 22 for the year 2022, is renumbered as section 10-183.

§ 4. Section 10-183 of the administrative code of the city of New York, as added by local law number 46 for the year 2022, is renumbered as section 10-184.

§ 5. This local law takes effect immediately, except that section one of this local law takes effect 60 days after it becomes law.

Session 12
JG
LS# 1581
4/12/22 4:38 PM

Session 11
AS
LS # 7937
Int. 1244