## Sixty-second Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 4, 2011

HOUSE BILL NO. 1371 (Representatives Delmore, Koppelman, Sanford) (Senators Olafson, Nelson, Lyson)

AN ACT to amend and reenact subsection 1 of section 12.1-27.1-03.3 of the North Dakota Century Code, relating to the creation, possession, or dissemination of sexually expressive images.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

- 1. A person is guilty of a class A misdemeanor if, knowing of its character and content, that person:
  - a. Without written consent from each individual who has a reasonable expectation of privacy in the image, surreptitiously creates or willfully possesses a sexually expressive image that was surreptitiously created; or
  - b. Distributes or publishes, electronically or otherwise, a sexually expressive image with the intent to cause emotional harm or humiliation to any individual depicted in the sexually expressive image who has a reasonable expectation of privacy in the image, or after being given notice by an individual or parent or guardian of the individual who is depicted in a sexually expressive image that the individual, parent, or guardian does not consent to the distribution or publication of the sexually expressive image.

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	Speaker of the House			President of the Senate	
	Chief C	lerk of the House		Secretary of the Senate	
				Representatives of ls of that body as Ho	
House Vote:	Yeas 90	Nays 0	Absent 4		
Senate Vote:	Yeas 46	Nays 0	Absent 1		
				Chief Clerk of the	House
Received by the Governor atM. on					, 2011.
Approved atM. on					, 2011.
				Governor	
Filed in this offi	ice this	day of			, 2011,
at o'	clock	M.			
				Secretary of State	