

# Senate Bill 414

Sponsored by Senator WOODS (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes it a crime to disclose fake intimate images. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 75.3).

Modifies the crime of unlawful dissemination of an intimate image to include the disclosure of a computer-generated explicit likeness.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the unlawful dissemination of intimate images; amending ORS 163.472; and declaring an  
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 163.472, as amended by section 4, chapter 42, Oregon Laws 2024, is amended  
6 to read:

7 163.472. (1) A person commits the crime of unlawful dissemination of an intimate image if:

8 (a) The person, with the intent to harass, humiliate or injure another person, knowingly causes  
9 to be disclosed an image of the other person whose intimate parts are visible or who is engaged in  
10 sexual conduct, **or a computer-generated explicit likeness;**

11 (b) The person knows or reasonably should have known that the other person does not consent  
12 to the disclosure;

13 (c) The other person is harassed, humiliated or injured by the disclosure; and

14 (d) A reasonable person would be harassed, humiliated or injured by the disclosure.

15 (2)(a) Except as provided in paragraph (b) of this subsection, unlawful dissemination of an inti-  
16 mate image is a Class A misdemeanor.

17 (b) Unlawful dissemination of an intimate image is a Class C felony if the person has a prior  
18 conviction under this section at the time of the offense.

19 (3) As used in this section:

20 (a) **“Computer-generated explicit likeness” means a visual depiction purporting to be of**  
21 **another person’s intimate parts or of the other person engaging in sexual contact that has**  
22 **been created, manipulated or altered by using a computer software program, artificial intel-**  
23 **ligence, editing application or similar means, so that the depiction is not reasonably distin-**  
24 **guishable from an actual image of the other person’s intimate parts or the other person**  
25 **engaging in sexual contact.**

26 [(a)] (b) “Disclose” includes, but is not limited to, transfer, publish, distribute, exhibit, advertise  
27 and offer.

28 [(b)] (c) “Image” includes, but is not limited to, a photograph, film, videotape, recording, digital  
29 picture and other visual reproduction, regardless of the manner in which the image is stored.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 [(c)] (d) “Information content provider” has the meaning given that term in 47 U.S.C. 230(f).

2 [(d)] (e) “Interactive computer service” has the meaning given that term in 47 U.S.C. 230(f).

3 [(e)] (f) “Intimate parts” means uncovered human genitals, pubic areas or female nipples.

4 [(f)] (g) “Sexual conduct” means sexual intercourse or oral or anal sexual intercourse, as those  
5 terms are defined in ORS 163.305, or masturbation.

6 (4) This section does not apply to:

7 (a) Activity by law enforcement agencies investigating and prosecuting criminal offenses;

8 (b) Legitimate medical, scientific or educational activities;

9 (c) Legal proceedings, when disclosure is consistent with common practice in civil proceedings  
10 or necessary for the proper functioning of the criminal justice system;

11 (d) The reporting of unlawful conduct to a law enforcement agency;

12 (e) Disclosures that serve a lawful public interest;

13 (f) Disclosures of images:

14 (A) Depicting the other person voluntarily displaying, in a public area, the other person’s inti-  
15 mate parts or engaging in sexual conduct; or

16 (B) Originally created for a commercial purpose with the consent of the other person; or

17 (g) The provider of an interactive computer service for an image of intimate parts provided by  
18 an information content provider.

19 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
21 **on its passage.**

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