

HB 2299-1
(LC 631)
4/4/25 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Oregon District Attorneys Association)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2299**

1 On page 1 of the printed bill, line 2, after the first semicolon delete the
2 rest of the line and delete line 3 and insert “amending ORS 163.472.”.

3 Delete lines 5 through 26 and delete pages 2 through 4 and insert:

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

6 “163.472. (1) A person commits the crime of unlawful dissemination of an
7 intimate image if:

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

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

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

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

17 “(2)(a) Except as provided in paragraph (b) of this subsection, unlawful
18 dissemination of an intimate image is a Class A misdemeanor.

19 “(b) Unlawful dissemination of an intimate image is a Class C felony if
20 the person has a prior conviction under this section at the time of the of-
21 fense.

1 “(3) As used in this section:

2 “(a) ‘Disclose’ includes, but is not limited to, transfer, publish, distribute,
3 exhibit, advertise and offer.

4 “(b) ‘Image’ includes, but is not limited to, [*a photograph, film, videotape,*
5 *recording, digital picture and other visual reproduction*] **the following**, re-
6 gardless of the manner in which the image is stored:

7 “(A) **A photograph, film, videotape, recording, digital picture or**
8 **other visual reproduction.**

9 “(B) **A digitally created, manipulated or altered depiction that is**
10 **reasonably realistic.**

11 “(c) ‘Information content provider’ has the meaning given that term in
12 47 U.S.C. 230(f).

13 “(d) ‘Interactive computer service’ has the meaning given that term in 47
14 U.S.C. 230(f).

15 “(e) ‘Intimate parts’ means uncovered human genitals, pubic areas or fe-
16 male nipples.

17 “(f) ‘Sexual conduct’ means sexual intercourse or oral or anal sexual
18 intercourse, as those terms are defined in ORS 163.305, or masturbation.

19 “(4) This section does not apply to:

20 “(a) Activity by law enforcement agencies investigating and prosecuting
21 criminal offenses;

22 “(b) Legitimate medical, scientific or educational activities;

23 “(c) Legal proceedings, when disclosure is consistent with common prac-
24 tice in civil proceedings or necessary for the proper functioning of the
25 criminal justice system;

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

27 “(e) Disclosures that serve a lawful public interest;

28 “(f) Disclosures of images:

29 “(A) Depicting the other person voluntarily displaying, in a public area,
30 the other person’s intimate parts or engaging in sexual conduct; or

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

3 “(g) The provider of an interactive computer service for an image of in-
4 timate parts provided by an information content provider.”.

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