**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3109**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. McKnight, Bamberg and M.S. McLeod

Document Path: l:\council\bills\nbd\11029cz15.docx

Introduced in the House on January 13, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Malicious publication of photographs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2014 House Prefiled

12/11/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 99](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 99](file:///h:\HJ%20Archive\2015\01-13-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3109&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/11/2014](file:///p:\pprever\2015-16\3109_20141211.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑7‑155 SO AS TO ESTABLISH THE OFFENSE OF MALICIOUSLY PUBLISHING THE PHOTOGRAPH OF A PERSON WITH THE INTENT TO INJURE THE CHARACTER OR REPUTATION OF ANOTHER AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 7, Title 16 of the 1976 Code is amended by adding:

“Section 16‑7‑155. (A) A person who, with actual malice aforethought, publishes photographs or other similar images of another on a website accessible by the public including, but not limited to, a social media website with the intention of harming the person’s character or reputation is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both.

(B) For purposes of this section, the term:

(1) ‘Photograph’ includes all photographs, including those which are unaltered, retouched, or otherwise edited.

(2) ‘Publication’ means the dissemination of the photograph without the knowledge or consent of the party in the photograph.

(3) ‘Social media’ means a category of Internet sites based on user participation and user‑generated content centered on user interaction.”

SECTION 2. This act takes effect upon approval by the Governor.

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