**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3058**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wooten and Pope

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Prefiled in the House on December 5, 2024

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

Summary: Disclosure of Intimate Images

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3058&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3058_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑15‑330 SO AS TO DEFINE NECESSARY TERMS FOR THE OFFENSE OF INTENTIONALLY DISSEMINATING INTIMATE IMAGES OR DIGITALLY FORGED INTIMATE IMAGES WITHOUT EFFECTIVE CONSENT; AND BY ADDING SECTION 16‑15‑332 SO AS TO CREATE THE OFFENSE OF INTENTIONALLY DISSEMINATING INTIMATE IMAGES OR DIGITALLY FORGED INTIMATE IMAGES WITHOUT EFFECTIVE CONSENT, TO PROVIDE GRADUATED PENALTIES, AND TO PROVIDE AN EXCEPTION FOR LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

 Section 16‑15‑330. For purposes of Section 16‑15‑332, the term:

 (1) “Digitally forged intimate image” means any intimate image of an identifiable individual that appears to a reasonable person to be indistinguishable from an authentic visual depiction of the individual, and that is generated or substantially modified using machine‑learning techniques or any other computer‑generated or machine‑generated means to falsely depict an individual’s appearance or conduct, regardless of whether the visual depiction indicates, through a label or some other form of information published with the visual depiction, that the visual depiction is not authentic.

 (2) “Effective consent” means the affirmative, conscious, and voluntary authorization by an individual with legal capacity to give authorization. The disclosure of the intimate image or digitally forged intimate image by the identifiable individual to another person is not sufficient effective consent under this section.

 (3) “Identifiable individual” means the identity of the depicted person through an intimate image or digitally forged intimate image, or whose identity can be determined through any accompanying or subsequent information or material related to the visual material.

 (4) “Intimate image” means any still or videographic image of an identifiable individual that depicts wholly or partially uncovered genitals, pubic area, anus, or postpubescent female nipple or areola of an individual, the display or transfer of semen or vaginal secretion, or sexually explicit conduct.

SECTION 2. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

 Section 16‑15‑332. (A) A person who intentionally disseminates an intimate image or a digitally forged intimate image of another person without the effective consent of the depicted person is guilty of the unauthorized disclosure of intimate images. A person intentionally disseminates an intimate image or a digitally forged intimate image if he has knowledge that the image was obtained or created under circumstances when he knew or reasonably should have known the person depicted had a reasonable expectation of privacy.

 (B) A person who violates the provisions of this section is guilty of a felony and, upon conviction, for a:

 (1) first offense, must be fined not more than five thousand dollars or imprisoned not more than five years, or both; or

 (2) second or subsequent offense, must be fined not more than ten thousand dollars or imprisoned not less than one year but not more than ten years, or both. No part of the minimum sentence may be suspended nor probation granted.

 (C) Dissemination of multiple intimate images or digitally forged intimate images of the same individual may be considered separate and distinct offenses.

 (D) Intimate images or digitally forged intimate images cannot be duplicated for the purpose of criminal discovery requests and motions.

 (E) A violation of this section is not a lesser‑included offense of any other applicable offense but is a separate offense and does not preclude charges under another applicable provision of law.

 (F) The provisions of this section do not apply to any intimate image or digitally forged intimate image created by law enforcement pursuant to a criminal investigation which is otherwise lawful.

SECTION 3. This act takes effect upon approval by the Governor.

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