

**Senate Study Bill 3004 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON TECHNOLOGY BILL BY  
CHAIRPERSON COURNOYER)

**A BILL FOR**

1 An Act relating to harassment and extortion involving a person  
2 whose image was used in creating, adapting, or modifying a  
3 photograph or film, and making penalties applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.7, subsection 1, paragraph a,  
2 subparagraph (5), Code 2024, is amended to read as follows:

3 (5) Disseminates, publishes, distributes, posts, or  
4 causes to be disseminated, published, distributed, or posted a  
5 photograph or film showing another person in a state of full or  
6 partial nudity or engaged in a sex act, knowing that the other  
7 person has not consented to the dissemination, publication,  
8 distribution, or posting. For purposes of this subparagraph,  
9 "another person" includes a person whose image was used in  
10 creating, adapting, or modifying a photograph or film with  
11 the intent to depict that other person who is recognizable  
12 by the person's face, likeness, or other distinguishing  
13 characteristic.

14 Sec. 2. Section 711.4, subsection 1, Code 2024, is amended  
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *h.* Threatens to disseminate, publish,  
17 distribute, or post a photograph or film showing another  
18 person in a state of full or partial nudity or engaged in a  
19 sex act, knowing that the other person has not consented to  
20 the dissemination, publication, distribution, or posting. For  
21 purposes of this subsection, "another person" includes a person  
22 whose image was used in creating, adapting, or modifying a  
23 photograph or film with the intent to depict that other person  
24 who is recognizable by the person's face, likeness, or other  
25 distinguishing characteristic.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This bill relates to harassment and extortion involving a  
30 person whose image was used in creating, adapting, or modifying  
31 a photograph or film.

32 Under current Code section 708.7(1)(a)(5), a person  
33 commits harassment when, with intent to intimidate, annoy,  
34 or alarm another person, the person disseminates, publishes,  
35 distributes, posts, or causes to be disseminated, published,

1 distributed, or posted a photograph or film showing another  
2 person in a state of full or partial nudity or engaged in a sex  
3 act, knowing that the other person has not consented to the  
4 dissemination, publication, distribution, or posting.

5 The bill provides that for purposes of the above provision,  
6 "another person" includes a person whose image was used in  
7 creating, adapting, or modifying a photograph or film with  
8 the intent to depict that other person who is recognizable  
9 by the person's face, likeness, or other distinguishing  
10 characteristic.

11 A violation of Code section 708.7(1)(a)(5) is an aggravated  
12 misdemeanor. An aggravated misdemeanor is punishable by  
13 confinement for no more than two years and a fine of at least  
14 \$855 but not more than \$8,540.

15 The bill provides that a person commits extortion with the  
16 purpose of obtaining for oneself or another anything of value,  
17 tangible or intangible, including labor or services, if the  
18 person threatens to disseminate, publish, distribute, or post a  
19 photograph or film showing another person in a state of full or  
20 partial nudity or engaged in a sex act, knowing that the other  
21 person has not consented to the dissemination, publication,  
22 distribution, or posting. The bill provides that "another  
23 person" includes a person whose image was used in creating,  
24 adapting, or modifying a photograph or film with the intent to  
25 depict that other person who is recognizable by the person's  
26 face, likeness, or other distinguishing characteristic.

27 Extortion is a class "D" felony. A class "D" felony is  
28 punishable by confinement for no more than five years and a  
29 fine of at least \$1,025 but not more than \$10,245.