

659A.4 Exceptions to liability.

1. As used in [this section](#), unless the context otherwise requires:

- a. “Child” means an unemancipated individual who is less than eighteen years of age.
- b. “Parent” means an individual recognized as a parent under law of this state other than [this chapter](#).

2. A person is not liable under [this chapter](#) if the person proves that disclosure of, or a threat to disclose, an intimate image was any of the following:

a. Made in good faith in any of the following circumstances:

- (1) Law enforcement.
- (2) A legal proceeding.
- (3) Medical education or treatment.

b. Made in good faith in the reporting or investigation of any of the following:

- (1) Unlawful conduct.
- (2) Unsolicited and unwelcome conduct.
- c. Related to a matter of public concern or public interest.
- d. Reasonably intended to assist the depicted individual.

3. Subject to [subsection 4](#), a defendant who is a person responsible for the care of a child as defined in [section 232.68](#) is not liable under [this chapter](#) for a disclosure or threatened disclosure of an intimate image, as defined in [section 659A.2](#), [subsection 7](#), paragraph “a”, of the child.

4. If a defendant asserts an exception to liability under [subsection 3](#), the exception does not apply if the plaintiff proves the disclosure was any of the following:

a. Prohibited by law other than [this chapter](#).

b. Made for the purpose of sexual arousal, sexual gratification, humiliation, degradation, or monetary or commercial gain.

5. Disclosure of, or a threat to disclose, an intimate image is not a matter of public concern or public interest solely because the depicted individual is a public figure.

[2021 Acts, ch 56, §4](#)

Referred to in [§659A.3](#)