## 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