

**Senate File 2186 - Introduced**

SENATE FILE 2186  
BY COMMITTEE ON TECHNOLOGY

(SUCCESSOR TO SSB 3004)

**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 708.7, Code 2024, is amended by adding the  
15 following new subsection:

16 NEW SUBSECTION. 7A. A person who commits a violation of  
17 subsection 1, paragraph "a", subparagraph (5), that results in  
18 the victim of the violation committing suicide, in addition to  
19 the penalties provided in subsection 2, may be charged with  
20 involuntary manslaughter under section 707.5.

21 Sec. 3. Section 711.4, subsection 1, Code 2024, is amended  
22 by adding the following new paragraph:

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

33 Sec. 4. Section 711.4, Code 2024, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 5. A person who commits a violation of

1 subsection 1, paragraph "h", that results in the victim of the  
2 violation committing suicide, in addition to the penalties  
3 provided in subsection 2, may be charged with involuntary  
4 manslaughter under section 707.5.

5

EXPLANATION

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

7

8 This bill relates to harassment and extortion involving a  
9 person whose image was used in creating, adapting, or modifying  
10 a photograph or film.

11 Under current Code section 708.7(1)(a)(5), a person  
12 commits harassment when, with intent to intimidate, annoy,  
13 or alarm another person, the person disseminates, publishes,  
14 distributes, posts, or causes to be disseminated, published,  
15 distributed, or posted a photograph or film showing another  
16 person in a state of full or partial nudity or engaged in a sex  
17 act, knowing that the other person has not consented to the  
18 dissemination, publication, distribution, or posting.

19 The bill provides that for purposes of the above provision,  
20 "another person" includes a person whose image was used in  
21 creating, adapting, or modifying a photograph or film with  
22 the intent to depict that other person who is recognizable  
23 by the person's face, likeness, or other distinguishing  
24 characteristic.

25 A violation of Code section 708.7(1)(a)(5) is an aggravated  
26 misdemeanor. An aggravated misdemeanor is punishable by  
27 confinement for no more than two years and a fine of at least  
28 \$855 but not more than \$8,540.

29 The bill provides that, in addition to the above penalties,  
30 a person who commits a violation of Code section 708.7(1)(a)(5)  
31 that results in the victim of the violation committing suicide  
32 may be charged with involuntary manslaughter.

33 The bill provides that a person commits extortion with the  
34 purpose of obtaining for oneself or another anything of value,  
35 tangible or intangible, including labor or services, if the

1 person threatens to disseminate, publish, distribute, or post a  
2 photograph or film showing another person in a state of full or  
3 partial nudity or engaged in a sex act, knowing that the other  
4 person has not consented to the dissemination, publication,  
5 distribution, or posting. The bill provides that "another  
6 person" includes a person whose image was used in creating,  
7 adapting, or modifying a photograph or film with the intent to  
8 depict that other person who is recognizable by the person's  
9 face, likeness, or other distinguishing characteristic.

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

13 The bill provides that a person who commits a violation  
14 of Code section 711.4(5)(h) that results in the victim of  
15 the violation committing suicide may also be charged with  
16 involuntary manslaughter.