

SENATE BILL NO. 213—SENATORS STONE, KRASNER,
STEINBECK, BUCK; AND ELLISON

FEBRUARY 18, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the crime of unlawful dissemination of an intimate image. (BDR 15-776)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; expanding the crime of unlawful dissemination of an intimate image to include certain acts relating to the distribution of certain photorealistic images, digital images, electronic images, computer images, computer-generated images and other pictorial representations; expanding the definition of “intimate image”; providing that the crime of unlawful dissemination of an intimate image constitutes a sexual offense for the purposes of various statutes; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the crime of unlawful dissemination of an intimate
2 image and provides that a person who unlawfully disseminates an intimate image of
3 a person is guilty of a category D felony. (NRS 200.780) Under existing law, a
4 person is also guilty of a category D felony if the person makes certain demands
5 from a person in exchange for removing an intimate image from public view. (NRS
6 200.785) **Section 1** of this bill expands the definition of “intimate image” for the
7 purpose of these provisions to include certain photorealistic images, digital images,
8 electronic images, computer images, computer-generated images and other pictorial
9 representations. (NRS 200.770)
10 Under existing law, a person commits the crime of unlawful dissemination of
11 an intimate image when, with the intent to harass, harm or terrorize another person,
12 the person electronically disseminates or sells an intimate image which depicts the
13 other person and the other person: (1) did not give prior consent to the electronic
14 dissemination or sale; (2) had a reasonable expectation that the intimate image
15 would be kept private and would not be made visible to the public; and (3) was at
16 least 18 years of age when the intimate image was created. (NRS 200.780)



17 **Section 2** of this bill additionally provides that a person who is 18 years of age or
18 older commits the crime of unlawful dissemination of an intimate image when, with
19 the intent to harass, harm or terrorize another person, the person distributes or
20 causes to be distributed an intimate image if: (1) the image or representation is
21 created in a way that would lead a reasonable person to believe it is an actual
22 depiction of the person depicted; and (2) the other person did not give prior consent
23 to the distribution of the image.

24 Existing law defines the term “sexual offense” for the purpose of requiring
25 persons convicted of certain sexual offenses to be prohibited from certain
26 employment, to register as a sex offender, to comply with certain mandatory
27 conditions of probation or parole and to fulfill certain other requirements. (NRS
28 118A.335, 176.0913, 176A.410, 179D.095, 179D.097, 179D.441, 213.1099,
29 213.1245) **Section 3** of this bill revises the list of sexual offenses to which these
30 statutory provisions apply to include unlawful dissemination of an intimate image
31 pursuant to **section 2**. **Section 2** makes a conforming change by eliminating
32 provisions of existing law which provide that a person who commits the crime of
33 unlawful dissemination of an intimate image is not considered a sex offender and is
34 not subject to registration or community notification as a sex offender.
35 (NRS 200.780)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 200.770 is hereby amended to read as follows:
2 200.770 “Intimate image”:

3 1. Except as otherwise provided in subsection 2, includes,
4 without limitation ~~[(a)]~~:

5 (a) A photograph, film, videotape or other recorded image
6 which depicts:

7 ~~[(a)]~~ (1) The fully exposed nipple of the female breast of another
8 person, including through transparent clothing; or

9 ~~[(b)]~~ (2) One or more persons engaged in sexual conduct ~~[(c)]~~; or

10 (b) *A photorealistic image, digital image, electronic image,*
11 *computer image, computer-generated image or other pictorial*
12 *representation that appears to depict:*

13 (1) *An intimate body part of another identifiable person but*
14 *does not depict an actual body part of the person; or*

15 (2) *One or more identifiable persons engaged in sexual*
16 *conduct but does not actually depict the person or persons*
17 *engaging in the conduct.*

18 2. Does not include an image which would otherwise constitute
19 an intimate image pursuant to subsection 1, but in which the person
20 depicted in the image:

21 (a) Is not clearly identifiable;

22 (b) Voluntarily exposed himself or herself in a public or
23 commercial setting; or

24 (c) Is a public figure.



1 **Sec. 2.** NRS 200.780 is hereby amended to read as follows:
2 200.780 1. Except as otherwise provided in subsection 3, a
3 person commits the crime of unlawful dissemination of an intimate
4 image when, with the intent to harass, harm or terrorize another
5 person, the person ~~electronically~~ :

6 (a) *Electronically* disseminates or sells an intimate image which
7 depicts the other person and the other person:

8 ~~[(a)]~~ (1) Did not give prior consent to the electronic
9 dissemination or the sale of the intimate image;

10 ~~[(b)]~~ (2) Had a reasonable expectation that the intimate image
11 would be kept private and would not be made visible to the public;
12 and

13 ~~[(e)]~~ (3) Was at least 18 years of age when the intimate image
14 was created ~~[()]~~; or

15 (b) *Distributes or causes to be distributed an intimate image*
16 *described in paragraph (b) of subsection 1 of NRS 200.770 which*
17 *depicts the other person if:*

18 (1) *The intimate image is created in a way that would lead a*
19 *reasonable person to believe it is an actual depiction of the other*
20 *person; and*

21 (2) *The other person did not give prior consent to the*
22 *distribution of the image.*

23 2. A person who commits the crime of unlawful dissemination
24 of an intimate image is guilty of a category D felony and shall be
25 punished as provided in NRS 193.130.

26 3. The provisions of this section do not apply to ~~the~~
27 ~~electronic~~ :

28 (a) *The dissemination or distribution* of an intimate image for
29 the purpose of:

30 ~~[(a)]~~ (1) A legitimate public interest;

31 ~~[(b)]~~ (2) Reporting unlawful conduct;

32 ~~[(e)]~~ (3) Any lawful law enforcement or correctional activity;

33 ~~[(d)]~~ (4) Investigation or prosecution of a violation of this
34 section; or

35 ~~[(e)]~~ (5) Preparation for or use in any legal proceeding ~~[()]~~

36 ~~—4.— A person who commits the crime of unlawful dissemination~~
37 ~~of an intimate image is not considered a sex offender and is not~~
38 ~~subject to registration or community notification as a sex offender~~
39 ~~pursuant to NRS 179D.010 to 179D.550, inclusive.] ; or~~

40 (b) *A person who is less than 18 years of age and who commits*
41 *an act described in paragraph (b) of subsection 1.*

42 **Sec. 3.** NRS 179D.097 is hereby amended to read as follows:

43 179D.097 1. “Sexual offense” means any of the following
44 offenses:



1 (a) Murder of the first degree committed in the perpetration or
2 attempted perpetration of sexual assault or of sexual abuse or sexual
3 molestation of a child less than 14 years of age pursuant to
4 paragraph (b) of subsection 1 of NRS 200.030.

5 (b) Sexual assault pursuant to NRS 200.366.

6 (c) Statutory sexual seduction pursuant to NRS 200.368.

7 (d) Battery with intent to commit sexual assault pursuant to
8 subsection 4 of NRS 200.400.

9 (e) An offense involving the administration of a drug to another
10 person with the intent to enable or assist the commission of a felony
11 pursuant to NRS 200.405, if the felony is an offense listed in this
12 subsection.

13 (f) An offense involving the administration of a controlled
14 substance to another person with the intent to enable or assist the
15 commission of a crime of violence, if the crime of violence is an
16 offense listed in this section.

17 (g) Abuse of a child pursuant to NRS 200.508, if the abuse
18 involved sexual abuse or sexual exploitation.

19 (h) An offense involving pornography and a minor pursuant to
20 NRS 200.710 to 200.730, inclusive.

21 (i) Fertility fraud pursuant to paragraph (a) of subsection 1 of
22 NRS 200.975.

23 (j) Incest pursuant to NRS 201.180.

24 (k) Open or gross lewdness pursuant to NRS 201.210.

25 (l) Indecent or obscene exposure pursuant to NRS 201.220.

26 (m) Lewdness with a child pursuant to NRS 201.230.

27 (n) Sexual penetration of a dead human body pursuant to
28 NRS 201.450.

29 (o) Sexual conduct between certain employees of a school or
30 volunteers at a school and a pupil pursuant to NRS 201.540.

31 (p) Sexual conduct between certain employees of a college or
32 university and a student pursuant to NRS 201.550.

33 (q) Luring a child or a person with mental illness pursuant to
34 NRS 201.560, if punished as a felony.

35 (r) Sex trafficking pursuant to NRS 201.300.

36 (s) *Unlawful dissemination of an intimate image pursuant to*
37 *NRS 200.780.*

38 (t) Any other offense that has an element involving a sexual act
39 or sexual conduct with another.

40 ~~(u)~~ (u) An attempt or conspiracy to commit an offense listed in
41 paragraphs (a) to ~~(s)~~ (t), inclusive.

42 ~~(v)~~ (v) An offense that is determined to be sexually motivated
43 pursuant to NRS 175.547 or 207.193.

44 ~~(w)~~ (w) An offense committed in another jurisdiction that, if
45 committed in this State, would be an offense listed in this



1 subsection. This paragraph includes, without limitation, an offense
2 prosecuted in:

3 (1) A tribal court.

4 (2) A court of the United States or the Armed Forces of the
5 United States.

6 ~~(w)~~ (x) An offense of a sexual nature committed in another
7 jurisdiction, whether or not the offense would be an offense listed in
8 this section, if the person who committed the offense resides or has
9 resided or is or has been a student or worker in any jurisdiction in
10 which the person is or has been required by the laws of that
11 jurisdiction to register as a sex offender because of the offense. This
12 paragraph includes, without limitation, an offense prosecuted in:

13 (1) A tribal court.

14 (2) A court of the United States or the Armed Forces of the
15 United States.

16 (3) A court having jurisdiction over juveniles.

17 2. Except for the offenses described in paragraphs (o) and (p)
18 of subsection 1, the term does not include an offense involving
19 consensual sexual conduct if the victim was:

20 (a) An adult, unless the adult was under the custodial authority
21 of the offender at the time of the offense; or

22 (b) At least 13 years of age and the offender was not more than
23 4 years older than the victim at the time of the commission of the
24 offense.

25 **Sec. 4.** The amendatory provisions of section 3 of this act
26 apply to offenses committed before, on or after October 1, 2025.



