
A BILL FOR AN ACT

RELATING TO PRIVACY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 711, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§711- Disorderly conduct by invasion of privacy. (1)

5 A person commits the offense of disorderly conduct by invasion
6 of privacy, with intent to cause serious emotional distress, or
7 recklessly creating a risk thereof, if:

8 (a) The person photographs or records by any means the
9 image of the intimate body part or parts of another
10 identifiable person under circumstances where the
11 parties agree or understand that the image shall
12 remain private;

13 (b) The person subsequently distributes the image taken
14 with the intent to cause serious emotional distress,
15 or recklessly creating a risk thereof; and

16 (c) The person depicted in the image suffers serious
17 emotional distress.

18 (2) For purposes of this section:



1 "Distribute" means to post an image of another identifiable
 2 person's intimate body part on a website or in any other public
 3 or private forum, or to send, transfer, or give an image of
 4 another identifiable person's intimate body part, whether in
 5 hard copy or electronic form, to a third party.

6 "Intimate body part" means any portion of the genitals, and
 7 in the case of a female, also includes any portion of the
 8 breasts below the top of the areola, that is either uncovered or
 9 visible through less than fully opaque clothing.

10 (3) Disorderly conduct by invasion of privacy is a
 11 misdemeanor."

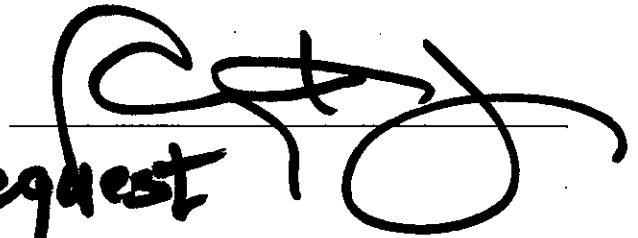
12 SECTION 2. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14

INTRODUCED BY: _____

By Request



JAN 14 2014



H.B. NO. 1668

Report Title:

Disorderly Conduct; Invasion of Privacy

Description:

Makes the distribution of private, intimate images of another person with the intent to cause serious emotional distress or recklessly creating a risk thereof a misdemeanor.

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