

HB1334\_L.011

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB19-1334 be amended as follows:

1 Amend printed bill, page 2, strike lines 7 through 12 and substitute  
2 "**definitions.** (1) A PERSON COMMITS THE OFFENSE OF POSTING AN IMAGE  
3 OF SUICIDE OF A MINOR IF THE PERSON INTENTIONALLY POSTS OR  
4 DISTRIBUTES THROUGH THE USE OF SOCIAL MEDIA OR ANY WEBSITE, OR  
5 DISSEMINATES THROUGH OTHER MEANS, AN IMAGE OF A MINOR  
6 ATTEMPTING SUICIDE, DYING BY SUICIDE, OR HAVING DIED BY SUICIDE,  
7 WITH THE INTENT TO HARASS, INTIMIDATE, OR COERCE ANY PERSON, AND  
8 THE POSTING OR DISTRIBUTION RESULTS IN SERIOUS EMOTIONAL DISTRESS  
9 TO ANY PERSON.

10 (2) POSTING AN IMAGE OF SUICIDE OF A MINOR IS A CIVIL  
11 INFRACTION AND IS PUNISHABLE BY A PENALTY OF ONE HUNDRED DOLLARS  
12 PER VIOLATION, EXCEPT THAT POSTING AN IMAGE OF SUICIDE OF A MINOR  
13 IS A CLASS 3 MISDEMEANOR IF THE PERSON WAS THE FIRST OR ORIGINAL  
14 PERSON TO POST, DISTRIBUTE, OR DISSEMINATE THE IMAGE."

15 Page 2, after line 22 insert:

16 "(4) IT IS NOT AN OFFENSE UNDER THIS SECTION IF THE POSTING OR  
17 DISTRIBUTION OF THE IMAGE IS A FICTIONAL WORK OR A DOCUMENTARY;  
18 OR IS RELATED TO A MATTER OF PUBLIC INTEREST OR PUBLIC CONCERN; OR  
19 RELATED TO THE REPORTING OF UNLAWFUL CONDUCT; OR THE LAWFUL  
20 AND COMMON PRACTICES OF LAW ENFORCEMENT, CRIMINAL REPORTING,  
21 LEGAL PROCEEDINGS, OR MEDICAL TREATMENT."

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