

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

H.P. 1303 - L.D. 1944

**An Act to Protect Individuals from the Threatened Unauthorized  
Dissemination of Certain Private Images, Including Artificially Generated  
Private Images**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §4651, sub-§2**, as amended by PL 2017, c. 455, §1, is further amended to read:

**2. Harassment.** "Harassment" means:

A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or business that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property; or

C. A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853; or

D. Communicating to a person a threat to commit, or to cause to be committed, a crime of unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, consciously disregarding a substantial risk that the natural and probable consequence of such a threat is to place the person who is depicted or who appears to be depicted in the image in reasonable fear that the crime will be committed.

This definition does not include any act protected by law.

**Sec. 2. 17-A MRSA §511-A, sub-§1**, as enacted by PL 2015, c. 339, §1, is amended to read:

**1.** A person is guilty of unauthorized dissemination of certain private images if the person, with the intent to harass, torment or threaten the depicted person or another person, intentionally or knowingly disseminates, displays or publishes a photograph, videotape, film or digital recording an image of another person in a state of nudity or engaged in a sexual act or engaged in sexual contact or an image that has been created or modified so

that it appears to show the depicted person in a state of nudity or engaged in a sexual act or engaged in sexual contact in a manner in which there is no public or newsworthy purpose when the person knows or should have known that the depicted person:

B. Is identifiable from the image itself or information displayed in connection with the image; and

C. Has not consented to the dissemination, display or publication of the ~~private~~ image.

**Sec. 3. 17-A MRSA §511-A, sub-§3, ¶D** is enacted to read:

D. "Image" means something that is made, captured, generated or saved as a print, negative, slide, motion picture, photograph, computer data file, animation, videotape, livestream or other mechanically, electronically or chemically reproduced visual image or material.

**Sec. 4. 19-A MRSA §4102, sub-§1, ¶G**, as enacted by PL 2021, c. 647, Pt. A, §3 and affected by Pt. B, §65, is amended to read:

G. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; ~~or~~

**Sec. 5. 19-A MRSA §4102, sub-§1, ¶H**, as enacted by PL 2021, c. 647, Pt. A, §3 and affected by Pt. B, §65, is amended to read:

H. Engaging in aggravated sex trafficking or sex trafficking as described in Title 17-A, section 852 or 853, respectively; or

**Sec. 6. 19-A MRSA §4102, sub-§1, ¶I** is enacted to read:

I. Communicating to a person a threat to commit, or to cause to be committed, a crime of unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, consciously disregarding a substantial risk that the natural and probable consequence of such a threat is to place the person who is depicted or who appears to be depicted in the image in reasonable fear that the crime will be committed.