

# HOUSE BILL NO. 1334

## 97TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE BARNES.

4275H.02I

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To amend chapter 573, RSMo, by adding thereto one new section relating to pornography, with penalty a provision.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 573, RSMo, is amended by adding thereto one new section, to be  
2 known as section 573.045, to read as follows:

2 **573.045. 1. A person commits the crime of publishing pornography for revenge**  
3 **when he or she photographs or records, or knowingly receives and republishes, by any**  
4 **means, the image of the intimate body part or parts of another identifiable person, under**  
5 **circumstances where the parties agree or understand that the image shall remain private,**  
6 **and the person subsequently distributes the image taken, with the intent to cause serious**  
7 **emotional distress, and the depicted person suffers serious emotional distress.**

7 **2. Publishing pornography for revenge is a class B misdemeanor, unless the person**  
8 **has previously been convicted of a violation of the provisions of this section or the depicted**  
9 **person is a minor under seventeen years of age in which case the crime is a class A**  
10 **misdemeanor.**

11 **3. In addition to the criminal penalties listed in subsection 2 of this section, the**  
12 **person in violation of the provisions of this section shall also be subject to a private cause**  
13 **of action from the depicted person. Any successful private cause of action brought under**  
14 **this subsection shall result in an award equal to ten thousand dollars or actual damages,**  
15 **whichever is greater, and in addition shall include attorney's fees. Humiliation or**  
16 **embarrassment shall be an adequate show that the plaintiff has incurred damages;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **however, no physical manifestation of either humiliation or embarrassment is necessary**  
18 **for damages to be shown.**

✓