



Senate

General Assembly

File No. 740

January Session, 2025

Substitute Senate Bill No. 1440

Senate, April 23, 2025

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING UNLAWFUL DISSEMINATION OF AN INTIMATE SYNTHETICALLY CREATED IMAGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2025*) (a) A person is guilty of
2 unlawful dissemination of an intimate synthetically created image when
3 (1) such person intentionally disseminates by electronic or other means
4 such image of (A) the genitals, pubic area or buttocks of another person
5 with less than a fully opaque covering of such body part, or the breast
6 of such other person who is female with less than a fully opaque
7 covering of any portion of such breast below the top of the nipple, or (B)
8 another person engaged in sexual intercourse, as defined in section 53a-
9 193 of the general statutes, (2) such person disseminates such image
10 without the consent of such other person, (3) knowing such image is a
11 synthetically created image, disseminates the image intending for
12 another person who views such image to be deceived into believing the
13 image is an actual depiction of such other person, and (4) such other
14 person suffers harm as a result of such dissemination, or (5) such person

15 violates subdivisions (1) to (4), inclusive, of this subsection, and such
16 person acquired, created or had created such synthetically created
17 image with intention to harm such other person.

18 (b) For purposes of this section:

19 (1) "Disseminate" means to sell, give, provide, lend, trade, mail,
20 deliver, transfer, publish, distribute, circulate, present, exhibit, advertise
21 or otherwise offer;

22 (2) "Harm" includes, but is not limited to, subjecting such other
23 person to hatred, contempt, ridicule, physical injury, financial injury,
24 psychological harm or serious emotional distress; and

25 (3) "Synthetically created image" means any photograph, film,
26 videotape or other image of a person that (A) is (i) not wholly recorded
27 by a camera, or (ii) either partially or wholly generated by a computer
28 system, and (B) depicts, and is virtually indistinguishable from what a
29 reasonable person would believe is the actual depiction of, an
30 identifiable person.

31 (c) The provisions of subsection (a) of this section shall not apply to:

32 (1) Any image described in subsection (a) of this section of such other
33 person if such image resulted from voluntary exposure or engagement
34 in sexual intercourse by such other person, in a public place, as defined
35 in section 53a-181 of the general statutes, or in a commercial setting; or

36 (2) Any image described in subsection (a) of this section of such other
37 person, if such other person is not clearly identifiable, unless other
38 personally identifying information is associated with or accompanies
39 the image.

40 (d) Unlawful dissemination of an intimate synthetically created
41 image to (1) a person by any means is a class D misdemeanor, except
42 that if such person violated subdivision (5) of subsection (a) of this
43 section, a class A misdemeanor, and (2) more than one person by means
44 of an interactive computer service, as defined in 47 USC 230, an

45 information service, as defined in 47 USC 153, or a telecommunications
46 service, as defined in section 16-247a of the general statutes, is a class C
47 misdemeanor, except that if such person violated subdivision (5) of
48 subsection (a) of this section, a class D felony.

49 (e) Nothing in this section shall be construed to impose liability on
50 the provider of an interactive computer service, as defined in 47 USC
51 230, an information service, as defined in 47 USC 153, or a
52 telecommunications service, as defined in section 16-247a of the general
53 statutes, for content provided by another person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates various crimes ranging from a class D misdemeanor to a class D felony related to dissemination of an intimate synthetically created image, which results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300¹ while the average marginal cost for supervision in the community is less than \$600² each year for adults and \$450 each year for juveniles.

The Out Years

The annualized ongoing fiscal impact identified above would

¹ Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these costs would only be realized if a new unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

continue into the future subject to the actual number of violations.

OLR Bill Analysis**sSB 1440*****AN ACT CONCERNING UNLAWFUL DISSEMINATION OF AN INTIMATE SYNTHETICALLY CREATED IMAGE.*****SUMMARY**

This bill establishes a new crime of unlawful dissemination of an intimate synthetically created image that is generally similar to the existing crime of unlawful dissemination of an intimate image.

As under the existing crime, the bill's new crime applies to the intentional dissemination of images of a person in certain degrees of nudity or engaged in sexual intercourse. It does not apply in certain circumstances, such as if the image resulted from voluntary exposure in public.

Under the bill, a "synthetically created image" can be a photograph, film, videotape, or another type of image of someone. It must (1) not be wholly recorded by a camera or (2) be generated, at least in part, by a computer system. It must depict an identifiable person and be virtually indistinguishable from what a reasonable person would believe to be an actual depiction of that person.

The bill's penalties vary based on (1) how the person distributed the image (including the number of recipients and how it was sent) and (2) whether the person intended to harm the victim (the person whose image is depicted) when acquiring or creating the image or having it created.

Also, as under the existing crime, the bill specifies that it does not impose liability on certain service providers for content provided by someone else.

EFFECTIVE DATE: October 1, 2025

UNLAWFUL DISSEMINATION OF INTIMATE SYNTHETICALLY CREATED IMAGE

Under the bill, a person is guilty of this crime when:

1. the person intentionally disseminates, by electronic or other means, an image of (a) certain body parts of another person (genitals, pubic area, or buttocks; or female breasts below the top of the nipple) without a fully opaque covering or (b) another person engaged in sexual intercourse;
2. the person disseminates the image without the other person's consent;
3. the person knows that the image is synthetically created but disseminates it intending for the viewer to be deceived into believing that it actually shows the other person; and
4. the other person suffers harm because of the dissemination.

"Harm" includes subjecting the other person to hatred, contempt, ridicule, physical or financial injury, psychological harm, or serious emotional distress.

The bill includes enhanced penalties (see below) if the person, in taking these actions, acquired or created the image, or had it created, intending to harm the other person.

Exemptions

The bill does not apply if the person depicted in the image:

1. voluntarily exposed himself or herself, or engaged in sexual intercourse, in a public place or commercial setting, or
2. is not clearly identifiable, unless there is other personally identifying information associated or included with the image.

Penalties

As shown in the table below, the bill's penalties vary based on the

offender's method of distribution and intent to harm the victim.

Table: Penalties Under the Bill

<i>Method of Distribution</i>	<i>Penalty (Based on Intent of Harm)</i>
The person gave or otherwise disseminated the image to someone by any means	The person intended to harm the victim when acquiring or creating the image or having it created: class A misdemeanor, punishable by up to 364 days in prison, a fine of up to \$2,000, or both Otherwise: class D misdemeanor, punishable by up to 30 days in prison, a fine of up to \$250, or both
The person gave or otherwise disseminated the image to multiple people using an interactive computer service (e.g., an internet access service), an information service (e.g., electronic publishing), or a telecommunications device	The person intended to harm the victim when acquiring or creating the image or having it created: class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both Otherwise: class C misdemeanor, punishable by up to three months in prison, a fine of up to \$500, or both

Service Providers' Protection From Liability

The bill specifies that it does not impose liability on certain service providers for content provided by another. This applies to interactive computer services, information services, and telecommunications services.

BACKGROUND

Related Bill

sSB 2, § 28 (File 603), favorably reported by the General Law Committee, makes it a crime, under certain conditions, to intentionally disseminate a synthetic intimate image, by specifying that the dissemination of these images is included within the existing crime of unlawful dissemination of an intimate image.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0 (04/07/2025)