



Ohio Revised Code

Section 2917.211 Dissemination of image of another person.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A) As used in this section:

(1) "Child-victim oriented offense" and "sexually oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

(2) "Disseminate" means to post, distribute, or publish on a computer device, computer network, web site, or other electronic device or medium of communication.

(3) "Image" means a photograph, film, videotape, digital recording, or other depiction or portrayal of a person.

(4) "Interactive computer service" has the meaning defined in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.

(5) "Internet provider" means a provider of internet service, including all of the following:

(a) Broadband service, however defined or classified by the federal communications commission;

(b) Information service or telecommunications service, both as defined in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended;

(c) Internet protocol-enabled services, as defined in section 4927.01 of the Revised Code.

(6) "Mobile service" and "telecommunications carrier" have the meanings defined in 47 U.S.C. 153, as amended.

(7) "Cable service provider" has the same meaning as in section 1332.01 of the Revised Code.

(8) "Direct-to-home satellite service" has the meaning defined in 47 U.S.C. 303, as amended.

(9) "Video service provider" has the same meaning as in section 1332.21 of the Revised Code.

(10) "Sexual act" means any of the following:

(a) Sexual activity;

(b) Masturbation;



(c) An act involving a bodily substance that is performed for the purpose of sexual arousal or gratification;

(d) Sado-masochistic abuse.

(11) "Fabricated sexual image" has the same meaning as in section 2307.66 of the Revised Code.

(B) No person shall knowingly disseminate an image of another person if all of the following apply:

(1) The person in the image is eighteen years of age or older.

(2) The person in the image can be identified from the image itself or from information displayed in connection with the image and the offender supplied the identifying information.

(3) The person in the image is in a state of nudity or is engaged in a sexual act.

(4) The image is disseminated without consent from the person in the image.

(5) The image is disseminated with intent to harm the person in the image.

(C) No person shall knowingly disseminate a fabricated sexual image of another person without the other person's consent.

(D) No person shall, without the consent of the depicted person, in order to harass, extort, threaten, or cause physical, emotional, reputational, or economic harm to a person falsely depicted, knowingly do either of the following:

(1) Create a fabricated sexual image with intent to distribute;

(2) Solicit the creation of a fabricated sexual image with intent to distribute.

(E) This section does not prohibit the dissemination of an image or fabricated sexual image if any of the following apply:

(1) The image or fabricated sexual image is disseminated for the purpose of a criminal investigation that is otherwise lawful.

(2) The image or fabricated sexual image is disseminated for the purpose of, or in connection with, the reporting of unlawful conduct.

(3) The image or fabricated sexual image is part of a news report or commentary or an artistic or expressive work, such as a performance, work of art, literary work, theatrical work, musical work, motion picture, film, or audiovisual work.



(4) The image or fabricated sexual image is disseminated by a law enforcement officer, or a corrections officer or guard in a detention facility, acting within the scope of the person's official duties.

(5) The image or fabricated sexual image is disseminated for another lawful public purpose.

(6) If the person in the image or fabricated sexual image is eighteen years of age or older, the person in the image or fabricated sexual image is knowingly and willingly in a state of nudity or engaged in a sexual act and is knowingly and willingly in a location in which the person does not have a reasonable expectation of privacy.

(7) The image or fabricated sexual image is disseminated for the purpose of medical treatment or examination.

(F) The following entities are not liable for a violation of this section solely as a result of an image or fabricated sexual image or other information provided by another person:

(1) A provider of interactive computer service;

(2) A mobile service;

(3) A telecommunications carrier;

(4) An internet provider;

(5) A cable service provider;

(6) A direct-to-home satellite service;

(7) A video service provider.

(G) Any conduct that is a violation of this section and any other section of the Revised Code may be prosecuted under this section, the other section, or both sections.

(H)(1)(a) Except as otherwise provided in division (H)(1)(b) of this section, whoever violates division (B) of this section is guilty of nonconsensual dissemination of private sexual images, a felony of the fifth degree.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) of this section, a sexually oriented offense, or a child-victim oriented offense, nonconsensual dissemination of private sexual images is a felony of the fourth degree.

(2)(a) Except as otherwise provided in division (H)(2)(b) of this section, whoever violates division (C) of this section is guilty of nonconsensual dissemination of fabricated sexual images, a felony of the fourth degree.



(b) If the offender has previously been convicted of or pleaded guilty to a violation of this section, a sexually oriented offense, or a child-victim oriented offense, nonconsensual dissemination of fabricated sexual images is a felony of the third degree.

(3)(a) Except as otherwise provided in division (H)(3)(b) of this section, whoever violates division (D) of this section is guilty of nonconsensual creation of fabricated sexual images, a felony of the fourth degree.

(b) If the offender has previously been convicted of or pleaded guilty to a violation of this section, a sexually oriented offense, or a child-victim oriented offense, nonconsensual creation of fabricated sexual images is a felony of the third degree.

(4) In addition to any other penalty or disposition authorized or required by law, the court may order any person who is convicted of a violation of this section or who is adjudicated delinquent by reason of a violation of this section to criminally forfeit all of the following property to the state under Chapter 2981. of the Revised Code:

(a) Any profits or proceeds and any property the person has acquired or maintained in violation of this section that the sentencing court determines to have been acquired or maintained as a result of the violation;

(b) Any interest in, securities of, claim against, or property or contractual right of any kind affording a source of influence over any enterprise that the person has established, operated, controlled, or conducted in violation of this section that the sentencing court determines to have been acquired or maintained as a result of the violation.

(l) A victim of a violation of this section may commence a civil cause of action against the offender, as described in section 2307.66 of the Revised Code.
