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# 15 U.S. Code § 6851

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## Civil action relating to disclosure of intimate images

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### **(a) Definitions**

In this section:

#### **(1) Commercial pornographic content**

The term “commercial pornographic content” means any material that is subject to the record keeping requirements under section 2257 of title 18.

#### **(2) Consent**

The term “consent” means an affirmative, conscious, and voluntary authorization made by the individual free from force, fraud, misrepresentation, or coercion.

#### **(3) Depicted individual**

The term “depicted individual” means an individual whose body appears in whole or in part in an intimate visual depiction and who is identifiable by virtue of the person’s face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature, or from information displayed in connection with the visual depiction.

#### **(4) Disclose**

The term “disclose” means to transfer, publish, distribute, or make accessible.

#### **(5) Intimate visual depiction**

The term “intimate visual depiction” —

(A) means a visual depiction, as that term is defined in section 2256(5) of title 18, that depicts —

(i) the uncovered genitals, pubic area, anus, or post-pubescent female nipple of an identifiable individual; or

(ii) the display or transfer of bodily sexual fluids—

(I) on to any part of the body of an identifiable individual;

(II) from the body of an identifiable individual; or

(III) an identifiable individual engaging in sexually explicit conduct and <sup>[1]</sup>

(B) includes any visual depictions described in subparagraph (A) produced while the identifiable individual was in a public place only if the individual did not—

(i) voluntarily display the content depicted; or

(ii) consent to the sexual conduct depicted.

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