

1.1 ..... moves to amend H.F. No. 3425 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[609.8915] DIGITAL PICTURE AND RECORDING**  
1.4 **MISREPRESENTATION.**

1.5 (a) "Person or owner" means a person whose image or voice is captured by a digital  
1.6 picture or recording, an owner of real or personal property whose property is depicted in a  
1.7 picture, a presenter of an event whose event is captured in a digital picture or recording, or  
1.8 an owner of the original digital picture or recording.

1.9 (b) A person is guilty of digital picture and recording misrepresentation if the person  
1.10 intentionally alters a digital picture or recording of another person or belonging to another  
1.11 person:

1.12 (1) with the intent to cause a recipient of the misrepresentation to reasonably believe  
1.13 that the person or owner authorized or transmitted the digital picture or recording by a means  
1.14 including, at a minimum, e-mail, text message, or posting on the Internet; and

1.15 (2) with the intent to harm, defraud, or maliciously misrepresent the person or owner.

1.16 (c) A person who violates paragraph (b) is guilty of a gross misdemeanor.

1.17 (d) It is an affirmative defense to a charge under this section that all persons or owners  
1.18 consented to the transmittal of the altered digital picture or recording.

1.19 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes  
1.20 committed on or after that date."