

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 407
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Request No.:	1371
Author:	Sen. Dossett
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Bill Analysis

SB 407 authorizes any person whose arrest booking photograph was published or otherwise disseminated to request the publisher to remove the photograph. The request shall be sent to the publisher by registered mail and shall include sufficient proof of identification of the person whose photograph was published and specific information identifying the photograph the written request is seeking to remove. The publisher shall remove the photograph within 10 days of receipt of the request. If the publisher refuses to remove the photograph, the person may bring a civil action to enjoin the continued publication or dissemination of the photograph. The court is authorized to impose a \$1,000.00 per day fine on the publisher for noncompliance. If the publisher republishes the photograph after removal, the court may impose a \$5,000.00 per day fine on the publisher for noncompliance. The provisions of this measure shall not apply to any business or person that publishes or disseminates information relating to arrest booking photographs unless the business or person accept payment for removal of the photograph or the business's or individual's primary business model is the publishing and disseminating of arrest booking photographs for a commercial purpose or pecuniary gain.

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