

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2182

By: Howard

AS INTRODUCED

An Act relating to civil remedies; creating the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act; providing short title; defining terms; authorizing cause of action for unauthorized disclosure of certain material; providing exceptions to liability for certain disclosures; providing for inapplicability of certain exceptions under certain circumstances; authorizing exclusion or redaction of identifying information in certain pleadings and documents; authorizing recovery of damages and other relief; establishing statute of limitations for certain actions; construing provisions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1121 of Title 12, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1122 of Title 12, unless there is created a duplication in numbering, reads as follows:

1 As used in this act:

2 1. "Consent" means affirmative, conscious, and voluntary
3 authorization by an individual with legal capacity to give
4 authorization;

5 2. "Depicted individual" means an individual whose body is
6 shown in whole or in part in an intimate image;

7 3. "Disclosure" means transfer, publication, or distribution to
8 another person. "Disclose" has a corresponding meaning;

9 4. "Identifiable" means recognizable by a person other than the
10 depicted individual:

11 a. from an intimate image itself, or

12 b. from an intimate image and identifying characteristic
13 displayed in connection with the intimate image;

14 5. "Identifying characteristic" means information that may be
15 used to identify a depicted individual;

16 6. "Individual" means a human being;

17 7. "Intimate image" means a photograph, film, video recording,
18 or other similar medium that shows:

19 a. the uncovered genitals, pubic area, anus, or female
20 post-pubescent nipple of a depicted individual, or

21 b. a depicted individual engaging in or being subjected
22 to sexual conduct;

1 8. "Person" means an individual, estate, business or nonprofit
2 entity, public corporation, government or governmental subdivision,
3 agency, or instrumentality, or other legal entity; and

4 9. "Sexual conduct" includes:

- 5 a. masturbation,
- 6 b. genital, anal, or oral sex,
- 7 c. sexual penetration of, or with, an object,
- 8 d. bestiality, or
- 9 e. the transfer of semen onto a depicted individual.

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1123 of Title 12, unless there
12 is created a duplication in numbering, reads as follows:

13 A. As used in this section:

14 1. "Harm" includes physical harm, economic harm, and emotional
15 distress whether or not accompanied by physical or economic harm;
16 and

17 2. "Private" means:

- 18 a. created or obtained under circumstances in which a
19 depicted individual had a reasonable expectation of
20 privacy, or
- 21 b. made accessible through theft, bribery, extortion,
22 fraud, false pretenses, voyeurism, or exceeding
23 authorized access to an account, message, file,
24 device, resource, or property.

1 B. Except as otherwise provided in Section 4 of this act, a
2 depicted individual who is identifiable and who suffers harm from a
3 person's intentional disclosure or threatened disclosure of an
4 intimate image that was private without the depicted individual's
5 consent has a cause of action against the person if the person knew
6 or acted with reckless disregard for whether:

- 7 1. The depicted individual consented to the disclosure;
- 8 2. The intimate image was private; and
- 9 3. The depicted individual was identifiable.

10 C. Consent to creation of the image or previous consensual
11 disclosure of the image by a depicted individual does not establish
12 by itself that the individual consented to the disclosure of the
13 intimate image that is the subject of an action under this act or
14 that the individual lacked a reasonable expectation of privacy.

15 D. A depicted individual who does not consent to the sexual
16 conduct or uncovering of the part of the body depicted in an
17 intimate image of the individual retains a reasonable expectation of
18 privacy even if the image was created when the individual was in a
19 public place.

20 SECTION 4. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1124 of Title 12, unless there
22 is created a duplication in numbering, reads as follows:

23 A. As used in this section:
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1 1. "Child" means an unemancipated individual who is less than
2 eighteen (18) years of age; and

3 2. "Parent" means an individual recognized as a parent under
4 law of this state other than this act.

5 B. A person is not liable under this act if the person proves
6 that disclosure of, or a threat to disclose, an intimate image was:

7 1. Made in good faith in:

8 a. law enforcement,

9 b. a legal proceeding, or

10 c. medical education or treatment;

11 2. Made in good faith in the reporting or investigation of:

12 a. unlawful conduct, or

13 b. unsolicited and unwelcome conduct;

14 3. Related to a matter of public concern or public interest; or

15 4. Reasonably intended to assist the depicted individual.

16 C. Subject to subsection D of this section, a defendant who is
17 a parent, legal guardian, or individual with legal custody of a
18 child is not liable under this act for a disclosure or threatened
19 disclosure of an intimate image of the child.

20 D. If a defendant asserts an exception to liability under
21 subsection C of this section, the exception does not apply if the
22 plaintiff proves the disclosure was:

23 1. Prohibited by law other than this act; or
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1 2. Made for the purpose of sexual arousal, sexual
2 gratification, humiliation, degradation, or monetary or commercial
3 gain.

4 E. Disclosure of, or a threat to disclose, an intimate image is
5 not a matter of public concern or public interest solely because the
6 depicted individual is a public figure.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1125 of Title 12, unless there
9 is created a duplication in numbering, reads as follows:

10 In an action under this act:

11 1. The court may exclude or redact from all pleadings and
12 documents filed in the action other identifying characteristics of
13 the plaintiff;

14 2. A plaintiff to whom paragraph 1 of this section applies
15 shall file with the court and serve on the defendant a confidential
16 information form that includes the excluded or redacted plaintiff's
17 name and other identifying characteristics; and

18 3. The court may make further orders as necessary to protect
19 the identity and privacy of a plaintiff.

20 SECTION 6. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1126 of Title 12, unless there
22 is created a duplication in numbering, reads as follows:

23 A. In an action under this act, a prevailing plaintiff may
24 recover:

1 1. The greater of:

2 a. economic and noneconomic damages proximately caused by
3 the defendant's disclosure or threatened disclosure,
4 including damages for emotional distress whether or
5 not accompanied by other damages, or

6 b. statutory damages not to exceed Ten Thousand Dollars
7 (\$10,000.00) against each defendant found liable under
8 this act for all disclosures and threatened
9 disclosures by the defendant of which the plaintiff
10 knew or reasonably should have known when filing the
11 action or which became known during the pendency of
12 the action. In determining the amount of statutory
13 damages under this subparagraph, consideration shall
14 be given to the age of the parties at the time of the
15 disclosure or threatened disclosure, the number of
16 disclosures or threatened disclosures made by the
17 defendant, the breadth of distribution of the image by
18 the defendant, and other exacerbating or mitigating
19 factors;

20 2. An amount equal to any monetary gain made by the defendant
21 from disclosure of the intimate image; and

22 3. Punitive damages as allowed under law of this state other
23 than this act.

1 B. In an action under this act, the court may award a
2 prevailing plaintiff:

- 3 1. Reasonable attorney fees and costs; and
- 4 2. Additional relief, including injunctive relief.

5 C. This act does not affect a right or remedy available under
6 law of this state other than this act.

7 SECTION 7. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1127 of Title 12, unless there
9 is created a duplication in numbering, reads as follows:

10 A. An action under subsection B of Section 3 of this act for:

- 11 1. An unauthorized disclosure may not be brought later than
12 four (4) years from the date the disclosure was discovered or should
13 have been discovered with the exercise of reasonable diligence; and
- 14 2. A threat to disclose may not be brought later than four (4)
15 years from the date of the threat to disclose.

16 B. Except as otherwise provided in subsection C of this
17 section, this section is subject to the tolling statutes of this
18 state.

19 C. In an action under subsection B of Section 3 of this act by
20 a depicted individual who was a minor on the date of the disclosure
21 or threat to disclose, the time specified in subsection A of this
22 section does not begin to run until the depicted individual attains
23 the age of majority.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1128 of Title 12, unless there is created a duplication in numbering, reads as follows:

A. This act shall be construed to be consistent with the Communications Decency Act of 1996, 47 U.S.C., Section 230.

B. This act may not be construed to alter the law of this state on sovereign immunity.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1129 of Title 12, unless there is created a duplication in numbering, reads as follows:

In applying and construing this uniform act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 10. This act shall become effective November 1, 2026.

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