

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0057.01 Michael Dohr x4347

**HOUSE BILL 19-1334**

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**HOUSE SPONSORSHIP**

**Saine,**

**SENATE SPONSORSHIP**

**Marble,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A PROHIBITION ON DISSEMINATING AN IMAGE OF A**  
102      **MINOR COMMITTING SUICIDE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill prohibits a person from posting or distributing through the use of social media, any website, or other electronic means an image of a minor attempting to commit suicide.

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1      *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1           **SECTION 1.** In Colorado Revised Statutes, **add** part 9 to article  
2   7 of title 18 as follows:

3   PART 9  
4   UNLAWFUL DISTRIBUTION  
5   OF SUICIDE RECORDINGS

6           **18-7-901. Unlawful distribution of a suicide recording -**

7   **definitions.** (1) A PERSON COMMITS THE OFFENSE OF POSTING AN IMAGE  
8   OF SUICIDE OF A MINOR IF THE PERSON INTENTIONALLY POSTS OR  
9   DISTRIBUTES THROUGH THE USE OF SOCIAL MEDIA OR ANY WEBSITE, OR  
10  DISSEMINATES THROUGH OTHER MEANS, AN IMAGE OF A MINOR  
11  ATTEMPTING SUICIDE, DYING BY SUICIDE, OR HAVING DIED BY SUICIDE,  
12  WITH THE INTENT TO HARASS, INTIMIDATE, OR COERCE ANY PERSON, AND  
13  THE POSTING OR DISTRIBUTION RESULTS IN SERIOUS EMOTIONAL DISTRESS  
14  TO ANY PERSON.

15           (2) POSTING AN IMAGE OF SUICIDE OF A MINOR IS A CIVIL  
16  INFRACTION AND IS PUNISHABLE BY A PENALTY OF ONE HUNDRED DOLLARS  
17  PER VIOLATION, EXCEPT THAT POSTING AN IMAGE OF SUICIDE OF A MINOR  
18  IS A CLASS 3 MISDEMEANOR IF THE PERSON WAS THE FIRST OR ORIGINAL  
19  PERSON TO POST, DISTRIBUTE, OR DISSEMINATE THE IMAGE.

20           (3) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT  
21  OTHERWISE REQUIRES:

22           (a) "IMAGE" MEANS A PHOTOGRAPH, FILM, VIDEOTAPE,  
23  RECORDING, DIGITAL FILE, OR OTHER REPRODUCTION.

24           (b) "SOCIAL MEDIA" MEANS ANY ELECTRONIC MEDIUM, INCLUDING  
25  AN INTERACTIVE COMPUTER SERVICE, TELEPHONE NETWORK, OR DATA  
26  NETWORK, THAT ALLOWS USERS TO CREATE, SHARE, AND VIEW  
27  USER-GENERATED CONTENT, INCLUDING BUT NOT LIMITED TO VIDEOS,

1 STILL PHOTOGRAPHS, BLOGS, VIDEO BLOGS, PODCASTS, INSTANT  
2 MESSAGES, ELECTRONIC MAIL, OR INTERNET WEBSITE PROFILES.

3 (4) IT IS NOT AN OFFENSE UNDER THIS SECTION IF THE POSTING OR  
4 DISTRIBUTION OF THE IMAGE IS A FICTIONAL WORK OR A DOCUMENTARY;  
5 OR IS RELATED TO A MATTER OF PUBLIC INTEREST OR PUBLIC CONCERN; OR  
6 RELATED TO THE REPORTING OF UNLAWFUL CONDUCT; OR THE LAWFUL  
7 AND COMMON PRACTICES OF LAW ENFORCEMENT, CRIMINAL REPORTING,  
8 LEGAL PROCEEDINGS, OR MEDICAL TREATMENT.

9 **SECTION 2. Act subject to petition - effective date -**  
10 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
11 the expiration of the ninety-day period after final adjournment of the  
12 general assembly (August 2, 2019, if adjournment sine die is on May 3,  
13 2019); except that, if a referendum petition is filed pursuant to section 1  
14 (3) of article V of the state constitution against this act or an item, section,  
15 or part of this act within such period, then the act, item, section, or part  
16 will not take effect unless approved by the people at the general election  
17 to be held in November 2020 and, in such case, will take effect on the  
18 date of the official declaration of the vote thereon by the governor.

19 (2) This act applies to offenses committed on or after the  
20 applicable effective date of this act.