

Committee on Criminal Justice

CS/CS/HB 1451 — Sexual Cyberharassment

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Baker, Gottlieb, and others (CS/SB 1084 by Criminal Justice Committee and Senator Martin)

The bill revises the definition of “sexually cyberharass” to mean *intentionally* publish to an Internet website or *intentionally* disseminate through electronic means to another person a sexually explicit image of a person without the depicted person’s consent and contrary to the depicted person’s reasonable expectation that the image would remain private if:

- The image contains or conveys the personal identification information of the depicted person; or
- The personal identification information of the depicted person is not contained or conveyed in the image itself but is contemporaneously published or disseminated in such a manner that a person viewing the personal identification information would reasonably know that such information directly relates to the person depicted in the sexually explicit image.

The bill removes the requirement that a person must disseminate an image for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

The definition of “sexually explicit image” is expanded to include images that depict the display of semen or vaginal secretion on a person.

The crime of sexual cyberharassment is a third degree felony if the person commits the crime for the purpose of pecuniary or any other financial gain. Additionally, it is a third degree felony if a person commits a second or subsequent offense of sexual cyberharassment.

An aggrieved person may receive punitive damages as a remedy for violation of the offense of sexual cyberharassment.

The bill amends s. 775.15, F.S., to extend the statute of limitations for violations of sexual cyberharassment as follows:

- A prosecution for a misdemeanor violation must be commenced within 5 years after the commission of the offense or within 3 years after the date on which the victim discovers the offense, whichever is later; and,
- A prosecution for a felony violation must be commenced within 7 years after the commission of the offense or within 3 years after the date on which the victim discovers the offense, whichever is later.

The bill amends s. 98.0751, F.S., to include a reference to the crime of sexual cyberharassment for pecuniary gain in the definition of “felony sexual offense.” A conviction for a felony sexual offense under this section precludes a person from having his or her voting rights restored without restoration of his or her civil rights.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 115-0