

RCW 7.110.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Child" means an unemancipated individual who is less than 18 years of age.

(2) "Consent" means affirmative, conscious, and voluntary authorization by an individual with legal capacity to give authorization.

(3) "Depicted individual" means an individual whose body is shown in whole or in part in an intimate image or a fabricated intimate image.

(4) "Digitization" means creating or altering an image of a person in a realistic manner by utilizing images of another person or computer-generated images, regardless of whether such creation or alteration is accomplished manually or through an automated process. "Digitization" includes, but is not limited to, creating or altering an image with the use of artificial intelligence.

(5) "Disclosing" has the same meaning as provided in RCW 9A.86.010. "Disclosure" has the same meaning as "disclosing."

(6) "Fabricated intimate image" means any photograph, motion picture film, videotape, digital image or video, or any other recording or visual depiction of an identifiable depicted individual that was created or altered by digitization and that depicts:

(a) Computer-generated intimate body parts or the intimate body parts of another human being as the intimate body parts of the depicted individual, whether nude or visible through less than opaque clothing and including the genitals, pubic area, anus, or postpubescent female nipple; or

(b) The depicted individual engaging in sexual activity, including masturbation, sexual contact, or sexual intercourse, as those terms are defined in RCW 9A.44.010, in which the depicted individual did not engage.

(7) "Harm" includes physical harm, economic harm, and emotional distress whether or not accompanied by physical or economic harm.

(8) "Identifiable" means recognizable by a person other than the depicted individual:

(a) From an intimate image or fabricated intimate image itself; or

(b) From an intimate image or fabricated intimate image and identifying characteristic displayed in connection with the intimate image.

(9) "Identifying characteristic" means information that may be used to identify a depicted individual.

(10) "Individual" means a human being.

(11) "Intimate image" has the same meaning as provided in RCW 9A.86.010.

(12) "Parent" has the same meaning as provided in RCW 26.26A.010.

(13) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency or instrumentality, or other legal entity.

(14) "Private" means:

(a) Created or obtained under circumstances in which a depicted individual had a reasonable expectation of privacy; or

(b) Made accessible through theft, bribery, extortion, fraud, false pretenses, voyeurism, or exceeding authorized access to an account, message, file, device, resource, or property. [2024 c 88 s 10; 2023 c 65 s 2.]