§ 66-506. Age verification obligations.

(a) An online entity operator may not publish or allow a user to publish a pornographic image to the online entity unless the operator has verified that all of the following criteria are met for each individual appearing in the pornographic image:

(1) The individual was not less than 18 years of age when the pornographic image was created.

(2) The individual has provided explicit written evidence of consent for each act of sexual activity in which the individual engaged during the creation of the pornographic image.

(3) The individual has provided explicit written consent for the distribution of the specific pornographic image.

(b) Separate consent is required for the act of sexual activity and for distribution of the intimate visual depiction, as follows:

(1) Consent for sex act. – Consent described in subdivision (2) of subsection (a) of this section does not imply or constitute evidence of consent described in subdivision (3) of that subsection.

(2) Consent for distribution of image. – Consent described in subdivision (3) of subsection (a) of this section does not imply or constitute evidence of consent described in subdivision (2) of that subsection.

(c) To carry out the obligations of subsection (a) of this section, an online entity operator shall obtain all of the following from the user or entity seeking to publish the pornographic image or through other means:

(1) Written consent from each individual appearing in the pornographic image that includes:

a. The name, date of birth, and signature of the individual.

b. A statement that the individual is not less than 18 years of age, unless no reasonable person could conclude that the individual is less than 30 years of age.

c. A statement that the consent is for distribution of the specific pornographic image.

d. A statement that explains coerced consent and that the individual has the right to withdraw the individual's consent at any time.

(2) Not less than one form of valid identification for each individual appearing in the pornographic image (i) issued by an agency of the federal government or of a state, local, or foreign government; and (ii) containing the name, date of birth, signature, and photograph of the individual; and on which the name, date of birth, and signature of the individual match the name, date of birth, and signature of the individual on the consent form required under subsection (a) of this section. (2025-84, s. 2(a).)