
SENATE BILL 6529

State of Washington

53rd Legislature

1994 Regular Session

By Senators Prentice and Moore

Read first time 01/26/94. Referred to Committee on Law & Justice.

1 AN ACT Relating to sexist, explicit, and violent movies and
2 videorecordings; and adding new sections to chapter 7.48 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Sexist, explicit, and violent pornography is
5 an actionable practice that denies women and other persons equal
6 opportunities in society. Pornography is central in creating and
7 maintaining sex as a basis for discrimination. Pornography is a
8 systematic practice of exploitation and subordination based on sex that
9 differentially harms women and other persons. The bigotry and contempt
10 it promotes, with the acts of aggression it fosters, harm people's
11 opportunities for equality of rights in employment, education, access
12 to and use of public accommodations, and acquisition of real property;
13 promote rape, battery, child abuse, kidnapping, and prostitution and
14 inhibit just enforcement of laws against such acts; and contribute
15 significantly to restricting women and children in particular from full
16 exercise of citizenship and participation in public life.

17 NEW SECTION. **Sec. 2.** It is the purpose of sections 3 through 8 of
18 this act to provide a right of action against makers, distributors,

1 sellers, and users of sexist, explicit, and violent pornography in the
2 form of movies or videorecordings.

3 NEW SECTION. **Sec. 3.** Sections 4 through 6 of this act are created
4 as civil actions for damages caused by pornography in the form of
5 movies or videorecordings.

6 NEW SECTION. **Sec. 4.** A person who is injured by a person who has
7 seen or read pornography has a right of action for actual damages
8 including mental pain and suffering against the maker, seller, and
9 distributor of the pornography, and the person who committed the
10 injury, if the injury is directly caused by specific pornography.

11 NEW SECTION. **Sec. 5.** A person who is coerced into pornographic
12 performance has a right of action for actual damages including mental
13 pain and suffering against the maker, distributor of the pornography,
14 seller, and the person who committed the coercion.

15 NEW SECTION. **Sec. 6.** A person who is injured by trafficking in
16 pornography has a right of action for actual damages including mental
17 pain and suffering against the maker, distributor, and trafficker of
18 the pornography.

19 NEW SECTION. **Sec. 7.** For the purposes of sections 3 through 6 of
20 this act the following definitions apply:

21 (1) "Coerced into pornographic performance" means coercing,
22 intimidating, or fraudulently inducing a person into performing for
23 pornography.

24 (2) "Trafficking in pornography" means the production, sale,
25 exhibition, or distribution of pornography.

26 (3) "Pornography" means "lewd matters," as defined in RCW 7.48.050,
27 that is sexist, explicit, and violent. "Sexist, explicit, and violent"
28 means lewd matter in which:

29 (a) People are presented as sexual objects who enjoy pain or
30 humiliation; or

31 (b) People are presented as sexual objects who experience sexual
32 pleasure in being raped; or

1 (c) People are presented as sexual objects tied up or cut up or
2 mutilated or bruised or physically hurt, or as dismembered or truncated
3 or fragmented or severed into body parts; or

4 (d) People are presented in scenarios of degradation, injury,
5 abasement, torture, shown as filthy or inferior, bleeding, bruised, or
6 hurt in a context that makes these conditions sexual.

7 NEW SECTION. **Sec. 8.** In addition to the remedies provided in
8 sections 4 through 6 of this act, a person aggrieved by pornography as
9 defined by section 7 of this act may maintain an action under RCW
10 7.48.056 and 7.48.058.

11 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act are each
12 added to chapter 7.48 RCW.

13 NEW SECTION. **Sec. 10.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

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