## WEST VIRGINIA CODE: §55-20-4

## §55-20-4. Exceptions to liability.

- (a) A person is not liable under this article if the person proves the disclosure of, or threat to disclose, an intimate image was:
- (1) Made in good faith:
- (A) To law enforcement;
- (B) For a legal proceeding; or
- (C) For medical education or treatment.
- (2) Made in good faith in the reporting or investigation of:
- (A) Unlawful conduct; or
- (B) Unsolicited and unwelcome conduct.
- (3) Related to a matter of public concern or public interest; or
- (4) Reasonably intended to assist the depicted individual.
- (b) Subject to this section, a defendant who is a parent, legal guardian, or individual with legal custody of a child is not liable under this article for a disclosure or threatened disclosure of an intimate image, as defined in this article, of the child.
- (c) If a defendant asserts an exception to liability under §55-20-4(b) of this code, the exception does not apply if the plaintiff proves the disclosure was:
- (1) Prohibited by law other than this article; or
- (2) Made for the purpose of sexual arousal, sexual gratification, humiliation, degradation, or monetary or commercial gain.
- (d) Disclosure of, or threat to disclose, an intimate image is not a matter of public concern or public interest solely because the depicted individual is a public figure.