

COLORADO SEXTING LAWS

For Teens and Minors

The practice of "sexting"—sending nude or sexually suggestive photos electronically—has grown, especially among teenagers. Learn about Colorado's juvenile sexting law.



Colorado is one of the states that has adopted legislation specifically addressing sexting by teenagers younger than 18. The law provides prosecutors a charging option that allows minors to avoid a **felony record** and **sex offender registration**. Felony charges remain an option if the conduct involved goes beyond the juvenile sexting statute.

Consensual Exchange of Private Images

Consensual sexting (or exchange) of private images by a juvenile no longer constitutes a crime but continues to be prohibited under Colorado law. A juvenile who sends a sexually explicit selfie to another person or receives a sexually explicit image of another person commits a civil infraction. The court can require the juvenile to pay a \$50 fine and participate in programming that addresses the risks of sexting.

Possessing a Private Image Without Permission

A juvenile who knowingly possesses, through digital or electronic means, a sexually explicit image of a person without permission commits a petty offense. A juvenile can avoid a violation of this section by taking action within 72 hours to: destroy or delete the image or report the image to law enforcement or a school resource officer.

Posting or Distributing Images Without Permission

The law makes it a class 2 misdemeanor for a juvenile to:

- post or distribute a private, sexually explicit image of another person, or
- post or send a sexually explicit selfie to a person who did not request the image and who suffered emotional distress

The penalty increases to a class 1 misdemeanor if the sexting involves harassment, a repeat offense, or possession of multiple images depicting multiple individuals. (Colo. Rev. Stat. § 18-7-109 (2019).)

By [Rebecca Pirius](#), Attorney