Bill Would Allow Viewers to Sue Porn Actors for Not Using Condoms

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A ballot initiative in California seeks to empower viewers to sue porn producers for making condomless films, reports Vocativ.

The initiative was spearheaded by the AIDS Healthcare Foundation and its president Michael Weinstein, who claim they've gathered more than enough signatures to put the measure on the November 2016 ballot.

AHF and Weinstein were the driving force behind Measure B, a 2012 law passed in Los Angeles County that mandates condoms in porn. The ballot initiative is similar to Measure B but applies to the entire state. In addition, a section of the bill listing its purposes and intents reads "To enable whistleblowers and private citizens to enforce the Act when the state fails to do so."

This means that any California resident could bring a lawsuit against an adult film producer if the actors don't use condoms and the state's Division of Occupational Safety and Health doesn't properly pursue the matter. What's more, viewers who bring civil lawsuits stand to gain financially if they win the case: They get 25 percent of the penalties and recoup their legal fees.

Critics of the measure point out that although the bill targets producers, the reality is that many of the adult stars also act as producers. "Pretty much every performer at this point is also a producer," Mike Stabile, a spokesperson with Free Speech Coalition, a trade group for the adult industry, told Vocativ. "Performers have their own websites, they sell clips, they do webcam shows."

People who work in the adult industry also expressed concern that the ballot initiative exposes them to harassment, stalkers, trolls and anti-porn activists.

In another legal action related to ongoing conflict over Measure B, AHF has subpoenaed sexual health testing centers to get them to turn over the medical records of adult film actors. To read more, click here.

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