

1 H.879

2 Introduced by Representatives Cina of Burlington, Chesnut-Tangerman of
3 Middletown Springs, Christensen of Weathersfield, Gonzalez of
4 Winooski, Houghton of Essex, Rachelson of Burlington, and
5 Ralph of Hartland

6 Referred to Committee on

7 Date:

8 Subject: Crimes; lewdness; unlawful electronic transmission of sexually
9 explicit visual material

10 Statement of purpose of bill as introduced: This bill proposes to criminalize
11 the act of electronic transmission of sexually explicit material through to a
12 person without the recipient's consent.

13 An act relating to unlawful electronic transmission of sexually explicit
14 visual material

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 13 V.S.A. § 2607 is added to read:

17 § 2607. UNLAWFUL ELECTRONIC TRANSMISSION OF SEXUALLY

18 EXPLICIT VISUAL MATERIAL

19 (a) As used in this section:

1 (1) “Intimate areas” means the genitals, pubic area, buttocks, or female
2 breast of a person.

3 (2) “Sexual conduct” shall have the same meaning as in section 2821 of
4 this title.

5 (b) No person shall knowingly transmit by electronic means visual material
6 that:

7 (1) depicts:

8 (A) any person engaging in sexual conduct or with the person’s
9 intimate parts exposed; or

10 (B) covered genitals of a male person that are in a discernibly turgid
11 state; and

12 (2) is not sent at the request of or with the express consent of the
13 recipient.

14 (c) A person who violates this section shall be imprisoned not more than
15 six months or fined not more than \$500.00, or both.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2020.