

1 H.18  
2 Introduced by Representatives Burditt of West Rutland and Grad of Moretown  
3 Referred to Committee on  
4 Date:  
5 Subject: Crimes; sexual exploitation of children  
6 Statement of purpose of bill as introduced: This bill proposes to include  
7 simulated conduct within the definition of sexual conduct for purposes of the  
8 crimes involving sexual exploitation of children.

9 An act relating to sexual exploitation of children

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

11 ~~Sec. 1. 13 V.S.A. § 2821 is amended to read:~~

12 § 2821. DEFINITIONS

13 As used in this chapter:

14 \* \* \*

15 (2) "Sexual conduct" means any of the following:

16 (A) any conduct involving contact between the penis and the vulva,  
17 the penis and the penis, the penis and the anus, the mouth and the penis, the  
18 ~~mouth and the anus, the vulva and the vulva, or the mouth and the vulva,~~

1 ~~(B) any intrusion, however slight, by any part of a person's body or~~  
2 any object into the genital or anal opening of another with the intent of  
3 arousing, appealing to, or gratifying the lust, passions, or sexual desire of any  
4 person;

5 (C) any intentional touching, not through the clothing, of the  
6 genitals, anus, or breasts of another with the intent of arousing, appealing to,  
7 or gratifying the lust, passions, or sexual desire of any person;

8 (D) masturbation;

9 (E) bestiality; or

10 (F) sadomasochistic abuse for sexual purposes; or

11 (G) any simulation of the conduct described in subdivisions (2)(A)–  
12 (F) of this section.

13 \* \* \*

14 (7) "Simulation" means the explicit depiction of any conduct described  
15 in subdivisions (2)(A)–(F) of this section that creates the appearance of such  
16 conduct and that exhibits the uncovered portion of the breasts, genitals, or  
17 buttocks.

18 Sec. 2. EFFECTIVE DATE

19 ~~This act shall take effect on July 1, 2021.~~

*Sec. 1. 13 V.S.A. § 2821 is amended to read:*

*§ 2821. DEFINITIONS*

*As used in this chapter:*

*(1) “Child” means any person under 16 years of age.*

*(2) “Sexual conduct” means any of the following:*

*(A) any conduct involving contact between the penis and the vulva, the penis and the penis, the penis and the anus, the mouth and the penis, the mouth and the anus, the vulva and the vulva, or the mouth and the vulva;*

*(B) any intrusion, however slight, by any part of a person’s body or any object into the genital or anal opening of another with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any person;*

*(C) any intentional touching, not through the clothing, of the genitals, anus, or breasts of another with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any person;*

*(D) masturbation;*

*(E) bestiality; ~~or~~*

*(F) sadomasochistic abuse for sexual purposes; or*

*(G) any simulation of the conduct described in subdivisions (2)(A)–(F) of this section.*

*\* \* \**

*(7)(A) “Simulation” means the explicit depiction of any conduct described in subdivisions (2)(A)–(F) of this section that:*

(i) involves a child as defined in subdivision (1) of this section;

(ii) creates the appearance of such conduct; and

(iii) exhibits naked genitals, buttocks, or breasts below the top of the areola.

(B) "Simulation" does not include paintings, drawings, or nonvisual or written descriptions of sexual conduct.

(C) "Simulation" applies to conduct, not to a simulated child.

*Sec. 2. EFFECTIVE DATE*

*This act shall take effect on July 1, 2021.*