

STATE OF NEW YORK

7801

2019-2020 Regular Sessions

IN ASSEMBLY

May 23, 2019

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the creation of the criminal offense of unlawful electronic transmission of sexually explicit visual material

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The penal law is amended by adding a new section 250.70 to
2 read as follows:

3 § 250.70 Unlawful electronic transmission of sexually explicit visual
4 material.

5 A person is guilty of unlawful electronic transmission of sexually
6 explicit visual material if a person knowingly transmits by electronic
7 means visual material that depicts any person engaging in sexual conduct
8 or with a person's intimate parts exposed or depicts the covered geni-
9 tals of a male person that are in a discernibly turgid state and such
10 visual material is not sent at the request of or with the express
11 consent of the recipient. For purposes of this section the term "inti-
12 mate parts" means the naked genitals, pubic area, anus, or female post-
13 pubescent nipple of the person and the term "sexual conduct" shall have
14 the same meaning as defined in section 130.00 of this chapter.

15 Unlawful electronic transmission of sexually explicit visual material
16 is a class A misdemeanor.

17 § 2. This act shall take effect on the first of November next succeed-
18 ing the date on which it shall have become a law.

EXPLANATION--Matter in italics (underscoring) is new; matter in brackets
[-] is old law to be omitted.

LBD11821-01-9