

# STATE OF NEW YORK

1641

2021-2022 Regular Sessions

## IN SENATE

January 14, 2021

Introduced by Sens. SKOUFIS, BENJAMIN, KAMINSKY -- read twice and ordered printed, and when printed to be committed 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 (underscored) is new; matter in brackets [-] is old law to be omitted.

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