

2006 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 348

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice

on January 23, 2006)

(Patron Prior to Substitute— Senator Howell)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-374.1:2, relating to sexually explicit items involving children; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-374.1:2 as follows:

§ 18.2-374.1:2. Aiding in payment for child pornography; penalty.

Any person who knowingly aids and abets the payment over the Internet for access to sexually explicit material of persons under the age of 18 is guilty of a Class 4 felony. For purposes of this section the term "person" shall include any individual, partnership, association, corporation, or joint venture.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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