

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-390.3 of the Code of Virginia, relating to Child Pornography*
3 *Registry; contents of Registry; criminal investigations; report.*

4 [S 1379]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-390.3 of the Code of Virginia is amended and reenacted as follows:**8 **§ 19.2-390.3. Child Pornography Registry; maintenance; access.**

9 A. The Office of the Attorney General, in cooperation with the Department of State Police, shall
10 keep and maintain a Child Pornography Registry (*the Registry*) to be located within the State Police,
11 separate and apart from all other records maintained by either department. The purpose of the Registry
12 shall be to assist the efforts of law-enforcement agencies statewide to protect their communities from
13 repeat child pornographers and to protect children from becoming victims of criminal offenders by
14 aiding in identifying victims and perpetrators. Criminal justice agencies, including law-enforcement
15 agencies, may request of the State Police a search and comparison of child pornography images
16 contained within the Registry with those images obtained by criminal justice agencies during the course
17 of official investigations.

18 B. The Registry shall include ~~images of sexually explicit visual material in any form including any~~
19 ~~picture, photograph, drawing, sculpture, motion picture film, digital image or similar visual~~
20 ~~representation, copies of all known or suspected "child pornography," as that term is defined in~~
21 ~~subsection A of § 18.2-374.1, obtained during the course of a criminal investigation, or presented as~~
22 ~~evidence and used in any conviction for any offense enumerated in §§ 18.2-374.1 and 18.2-374.1:1.~~

23 C. Registry information provided under this section shall be used for the purposes of the
24 administration of criminal justice, *for victim identification*, or for the protection of the public in general
25 and children in particular. Use of the information or the images contained therein for purposes not
26 authorized by this section is prohibited and a willful violation of this section with the intent to harass or
27 intimidate another ~~shall be punished as is~~ a Class 6 felony.

28 D. The Virginia Criminal Information Network and any form or document used by the Department
29 of State Police to disseminate information from the Registry shall provide notice that any unauthorized
30 possession, use, or dissemination of the information or images is a crime punishable as a Class 6 felony.

31 **2. That the Department of State Police, in cooperation with the Office of the Attorney General,**
32 **shall submit a report detailing the implementation plan for changes to the Child Pornography**
33 **Registry pursuant to this act to the Secretary of Public Safety and Homeland Security and the**
34 **Chairmen of the House Committee on Appropriations and Senate Committee on Finance by**
35 **January 1, 2020, as provided in the procedures of the Division of Legislative Automated Systems**
36 **for the processing of legislative documents, and the report shall be posted on the General**
37 **Assembly's website.**

ENROLLED

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