

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1982
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Author:	Sen. Deever
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Bill Analysis

SB 1982 defines unlawful pornography to be any film, motion picture, videotape, photograph, negative, undeveloped film, slide, photographic product, reproduction of a photographic product, play, or performance that includes sexual intercourse which is normal or perverted, anal sodomy, sexual activity with an animal, sadomasochistic abuse, flagellation or torture, physical restraint such as binding or fettering in the context of sexual conduct, fellatio or cunnilingus, excretion in the context of sexual conduct, lewd exhibition of the uncovered genitals in the context of masturbation or other sexual conduct, and lewd exhibition of certain uncovered anatomical to provide sexual stimulation of the viewer.

The measure defines all such acts as patently offensive under contemporary community standards and prohibits the display or distribution of such acts. The measure authorizes any person to bring action against another who displays, produces, or distributes such items. The measure establishes maximum damages at \$10,000.00. The measure establishes a felony for viewing, distributing, or producing such acts and subjects such persons to a maximum fine of \$250,000.00 and/or a term of imprisonment of 10-30 years. The measure provides an exemption for spouses sending images of a sexual nature to each other. The measure requires each internet service provider to implement filtering technology that prevents any person from accessing child sexual abuse material, obscene materials, or unlawful pornography.

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