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SENATE BILL 1106

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Linda M Lopez

AN ACT

RELATING TO SEXUAL OFFENSES; CREATING A NEW CRIMINAL OFFENSE
KNOWN AS CRIMINAL SEXUAL COMMUNICATION WITH A CHILD; PROVIDING
PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Criminal Code is enacted
to read:

" [NEW MATERIAL] CRIMINAL SEXUAL COMMUNICATION WITH A
CHILD--PENALTY. --

A. Criminal sexual communication with a child
consists of a person knowingly and intentionally communicating
directly with a specific child under sixteen years of age by
sending the child obscene images of the person's intimate
parts by means of an electronic communication device when the
perpetrator is at least three years older than the child.

underscored material = new
[bracketed material] = delete

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B. Whoever commits sexual communication with a child is guilty of a fourth degree felony.

C. As used in this section:

(1) "electronic communication device" means a computer, video recorder, digital camera, fax machine, telephone, pager or any other device that can produce an electronically generated image; and

(2) "intimate parts" means the primary genital area, groin, buttocks, anus or breast."

Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2007.