

Session 113 - (1999-2000)

H 3134 General Bill, By Haskins, Meacham, Simrill and Leach

Summary: Exploitation of Women's and Children's Act of 1999, Crimes and Offenses, Obscenity, Sex offenses, Minors

A BILL TO ENACT THE "WOMEN'S AND CHILDREN'S EXPLOITATION ACT OF 1999"; INCLUDING PROVISIONS TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-15-317 SO AS TO PROVIDE THAT THE WRITTEN CONSENT OF THE RECIPIENT IN THIS STATE IS FIRST REQUIRED BEFORE A PERSON THROUGH USE OF THE MAIL OR OTHERWISE MAY SEND TO THAT PERSON MATERIAL WHICH CONTAINS NUDITY, VIOLENCE, SEXUALLY-EXPLICIT CONDUCT, OR VULGAR OR PROFANE LANGUAGE; TO PROVIDE THAT IF THIS CONSENT HAS BEEN OBTAINED, THE ENVELOPE OR PACKAGE CONTAINING THIS MATERIAL MUST HAVE CERTAIN LEGIBLE DISCLOSURES ON IT; TO PROVIDE EXCEPTIONS; AND TO PROVIDE PENALTIES FOR VIOLATIONS; BY ADDING SECTION 16-15-340 SO AS TO MAKE IT UNLAWFUL TO KNOWINGLY SOLICIT A PERSON UNDER EIGHTEEN YEARS OF AGE THROUGH THE USE OF A COMPUTER OR OTHER FORM OF COMMUNICATION FOR THE PURPOSE OF OBSCENE OR SEXUAL ACTIVITY, TO PROVIDE PENALTIES; AND TO AMEND SECTION 16-3-653, RELATING TO CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE, SO AS TO INCREASE THE PENALTY FROM TWENTY TO TWENTY-FIVE YEARS; TO AMEND SECTION 16-3-655, SO AS TO INCLUDE AS CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE ENGAGING IN SEXUAL BATTERY WITH A VICTIM UNDER EIGHTEEN YEARS OF AGE IF THE ACTOR IS FOUR OR MORE YEARS OLDER THAN THE VICTIM; TO AMEND SECTIONS 16-15-305, 16-15-375, 16-15-385, AND 16-15-405, ALL AS AMENDED, SECTIONS 16-15-315, 16-15-325, 16-15-335, 16-15-345, 16-15-355, 16-15-387, 16-15-395, 16-15-410, AND 16-15-445, ALL RELATING TO THE PREPARATION, PROMOTION, PROCUREMENT, AND DISSEMINATION OF OBSCENITY AND MATERIAL HARMFUL TO MINORS, SO AS TO PROVIDE THAT OBSCENITY AND MATERIAL HARMFUL TO MINORS INCLUDES COMPUTER GENERATED IMAGES AND THAT PREPARING, PROMOTING, PROCURING, AND DISSEMINATING INCLUDES BY THE USE OF COMPUTER OR A COMPUTER SERVICE OR COMPUTER BULLETIN BOARD AND TO INCREASE PENALTIES FOR FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR.

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