



SENATE BILL 579: Prevent Harm to Children.

2023-2024 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 25, 2023
Introduced by:	Sens. B. Newton, Britt, Daniel	Prepared by:	Robert Ryan
Analysis of:	First Edition		Anna Parsons Committee Co-Counsel

OVERVIEW: *Senate Bill 579 would increase the felony classification of intentionally disseminating obscenity when it is knowingly done in the presence of a person under 18 years of age.*

CURRENT LAW: G.S. 14-190.1 makes it unlawful for any person, firm, or corporation to intentionally disseminate obscenity. Material is considered obscene if all the following apply:

- The material depicts or describes in a patently offensive way sexual conduct.
- The material is that which the average person applying contemporary community standards relating to the depiction or description of sexual matters would find that taken as a whole appeals to the prurient interest in sex.
- The material lacks serious literary, artistic, political, or scientific value.
- The material is not considered protected or privileged under the U.S. Constitution or the NC Constitution.

Currently, a violation of G.S. 14-190.1 is a Class I felony.

BILL ANALYSIS: Senate Bill 579 would make it a Class H felony for any person, firm, or corporation to intentionally disseminate obscenity knowingly in the presence of an individual under 18 years of age.

EFFECTIVE DATE: The act would become effective December 1, 2023, and apply to offenses committed on or after that date.

Jeffrey Hudson
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Legislative Analysis
Division