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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:

"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 four
years older than the child.

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."

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