

RSA 189:13-a CHANGES, PARAGRAPH V.
EFFECTIVE JULY 31, 2000

- 630:1 **Capital Murder**
 630:1a **First Degree Murder**
 630:1b **Second Degree Murder**
 630:2 **Manslaughter**
- 632-A:2 **Aggravated Felonious Sexual Assault**
 632-A:3 **Felonious Sexual Assault**
 632-A:4 **Sexual Assault**
- 633:1 **Kidnapping**
- 639:2 **Incest**
 639:3 **Endangering Welfare of Child or Incompetent**
- 645:1 I(b) **Indecent Exposure and Lewdness** [*NOTE: only partial elements of statute*]
 (b) (A person is guilty of a misdemeanor if such person) Purposely performs any act of sexual penetration or sexual contact on himself or herself or another in the presence of a child who is at least 13 years of age and less than 16 years of age.
- 645:1 II A person is guilty of a class B felony if:
 (a) Such person purposely performs any act of sexual penetration or sexual contact on himself or herself or another in the presence of a child who is 12 years of age or younger.
 (b) Having been previously convicted of an offense under subparagraph I(b), or of an offense which includes the same conduct under any other jurisdiction, the person subsequently commits an offense under subparagraph I(b).
- 645:1 III A person shall be guilty of a class A felony if:
 (a) having been previously been convicted of 2 or more offenses under paragraph I(b) or II(a), or of 2 or more offenses which include the same conduct under any other jurisdiction, the person subsequently commits an offense under subparagraph I(b) or II(a).
- 645:2 **Prostitution and Related Offenses**
- 649-A:3 **Child Pornography**
Offenses:
 I. A person is guilty of a felony if such person:
 (a) Sells, delivers or provides, or offers or agrees to sell, deliver or provide, any visual presentation of a child engaging in sexual activity; or

- (b) Presents or directs a visual representation of a child engaging in sexual activity, or participates in that portion of such visual representation which consists of a child engaging in sexual activity; or
- (c) Publishes, exhibits or otherwise makes available any visual representation of a child engaging in sexual activity; or
- (d) Possesses any visual representation of a child engaging in sexual activity for purposes of sale or other commercial dissemination; or
- (e) Knowingly buys, procures, possesses, or controls any visual representation of a child engaging in sexual activity; or
- (f) Knowingly brings or causes to be brought into this state any visual representation of a child engaging in sexual activity.

II An offense under Paragraph I shall be:

- (a) A class B felony if such a person had no prior convictions in this state or another state for the conduct prohibited in paragraph I;
- (b) A class A felony if such a person has had one or more prior convictions in this state or another state for the conduct prohibited in paragraph I.

649-B:3

Computer Pornography Prohibited.

- I. No person shall knowingly:
 - (a) Compile, enter into, or transmit by means of a computer;
 - (b) Make, print, publish, or reproduce by other computerized means;
 - (c) Cause or allow to be entered into or transmitted by means of a computer; or
 - (d) Buy, sell, receive, exchange, or disseminate by means of computer, any notice, statement, or advertisement, or any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information, for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any child, or the visual depiction of such conduct.
- II. Any person who violates the provisions of this section is guilty of a class B felony.

649-B:4

Certain Uses of Computer services Prohibited. Any person who knowingly utilizes a computer on-line service, Internet service, or local bulletin board service to seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice, a child or another person believed by the person to be a child, to commit any of the following is guilty of a class B felony:

- I. Any offense under RSA 632-A, relative to sexual assault and related offenses.
- II. Indecent exposure and lewdness under RSA 645:1, II: or
- III. Endangering a child, as defined in RSA 639:3.

650:2

(Obscene Matter) Offenses (where the act involves a child)