

SB 300-FN - VERSION ADOPTED BY BOTH BODIES

5Jun2025... 1719h

2025 SESSION

25-1164
09/11

SENATE BILL **300-FN**

AN ACT criminalizing the creation of child intimate visual representations.

SPONSORS: Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. Avard, Dist 12; Sen. Carson, Dist 14;
Sen. Pearl, Dist 17; Sen. McConkey, Dist 3; Sen. McGough, Dist 11; Sen. Sullivan,
Dist 18; Sen. Gannon, Dist 23; Sen. Rochefort, Dist 1; Sen. Long, Dist 20; Sen.
Watters, Dist 4; Rep. Thibault, Merr. 25; Rep. Sellers, Graf. 10

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill makes it a class B felony and a tier II registrable offense for a person to knowingly create, produce, manufacture, or direct an intimate visual representation of a child for prurient purposes.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT criminalizing the creation of child intimate visual representations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Child Sexual Abuse Images; Creation of Child Intimate Visual Representations.

2 Amend RSA 649-A by inserting after section 3-b the following new section:

3 649-A:3-c Creation of Child Intimate Visual Representations.

4 I. No person shall knowingly create, produce, manufacture, or direct an intimate visual
5 representation of a child for prurient purposes when that child is identifiable from the intimate
6 visual representation itself or information displayed in connection with the intimate visual
7 representation.

8 II. For purposes of this section, "intimate visual representation" means any visual depiction,
9 including any photograph, film, video, digital image, synthetic image, picture, or computer or
10 computer-generated image or picture, whether made or produced by electronic, mechanical, or other
11 means, in which a child's intimate parts are depicted.

12 III. For purposes of this section, "intimate parts" means the fully unclothed, partially
13 unclothed, or transparently clothed genitals, pubic area, or anus, or, if the person is female, a
14 partially or fully exposed nipple, including exposure through transparent clothing.

15 IV. For purposes of this section, "synthetic image" means an image that has been altered or
16 created depicting an individual's image in a realistic but false representation of the individual.

17 V. For the purposes of this section, "prurient purposes" means for the purpose of sexual
18 gratification or sexual arousal from viewing the intimate visual representation prohibited by this
19 section.

20 VI. An offense under this section shall be a class B felony.

21 2 Registration of Criminal Offenders; Definitions; Offense Against a Child. Amend RSA 651-
22 B:1, VII(b) to read as follows:

23 (b) Intentional contribution to the delinquency of a minor, RSA 169-B:41, II; sexual
24 assault, RSA 632-A:4, I(b) if the actor was 18 years of age or older at the time of the offense;
25 endangering the welfare of a child, RSA 639:3, III; possession of child sexual abuse images, RSA 649-
26 A:3; distribution of child sexual abuse images, RSA 649-A:3-a; manufacture of child sexual abuse
27 images, RSA 649-A:3-b; **creation of a child intimate visual representation, RSA 649-A:3-c;**
28 computer pornography, RSA 649-B:3; certain uses of computer services prohibited, RSA 649-B:4; or
29 obscene matters, RSA 650:2, II.

30 3 Registration of Criminal Offenders; Definitions; Tier II Offender. Amend RSA 651-B:1, IX(a)
31 to read as follows:

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1 (a) RSA 169-B:41, II; RSA 632-A:3, I; RSA 632-A:3, II; RSA 632-A:3, IV if the victim was
2 13 years of age or older but less than 18 years of age; RSA 633:2; RSA 633:3; RSA 633:7; RSA 639:3,
3 III; RSA 645:1, II; RSA 645:1, III; RSA 645:2; RSA 649-A:3; RSA 649-A:3-a; RSA 649-A:3-b; **RSA**
4 **649-A:3-c**; RSA 649-B:3; RSA 649-B:4; RSA 650:2, II; or RSA 644:8-g.

5 4 Effective Date. This act shall take effect January 1, 2026.

**SB 300-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-1719h)**

AN ACT criminalizing the creation of child intimate visual representations.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association