

Bill No. CS for SB's 1284, 1476, 1528 & 1616

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Geller moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 13, line 19, through page 14, line 18, delete		
15	those lines		
16			
17	and insert:		
18	<u>(15) "Transmit" means to send an electronic mail</u>		
19	<u>communication to a specified electronic mail address or</u>		
20	<u>addresses.</u>		
21	Section 9. Section 847.0137, Florida Statutes, is		
22	created to read:		
23	<u>847.0137 Transmission of pornography by means of the</u>		
24	<u>Internet prohibited; penalties.--</u>		
25	<u>(1) For purposes of this section, the term "minor"</u>		
26	<u>means any person less than 18 years of age.</u>		
27	<u>(2) Notwithstanding ss. 847.012 and 847.0133, any</u>		
28	<u>person in this state who knew or believed under the</u>		
29	<u>circumstances that he or she was transmitting, by means of the</u>		
30	<u>Internet:</u>		
31	<u>(a) Child pornography, as defined in s. 847.001, to</u>		

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1 another person in this state or in another jurisdiction; or

2 (b) An image harmful to minors, as defined in s.
3 847.001, to a minor, or a person believed to be a minor, in
4 this state

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6 commits a felony of the third degree, punishable as provided
7 in s. 775.082, s. 775.083, or s. 775.084.

8 (3) Notwithstanding ss. 847.012 and 847.0133, any
9 person in any jurisdiction other than this state who knew or
10 believed under the circumstances that he or she was
11 transmitting, by means of the Internet:

12 (a) Child pornography, as defined in s. 847.001, to
13 any person in this state; or

14 (b) An image harmful to minors, as defined in s.
15 847.001, to a minor, or a person believed to be a minor, in
16 this state

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18 commits a felony of the third degree, punishable as provided
19 in s. 775.082, s. 775.083, or s. 775.084.

20 (4) This section shall not apply to subscription-based
21 transmissions such as list servers.

22
23 (Redesignate subsequent subsection.)

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 2, line 2, after the first semicolon,

29
30 insert:

31 defining the term "transmit";