



1 an image, information, or data that is harmful to minors, as  
2 defined in s. 847.001, to an individual in this state who is  
3 known to be a minor by means of unsolicited electronic mail or  
4 a computer pop-up. Any person who knew or reasonably should  
5 have known that he or she was transmitting sexually oriented  
6 material or an image, information, or data in violation of  
7 this subsection commits a felony of the third degree,  
8 punishable as provided in s. 775.082, s. 775.083, or s.  
9 775.084.

10 (3) Notwithstanding ss. 847.012 and 847.0133, a person  
11 in any jurisdiction other than this state may not transmit  
12 sexually oriented material or an image, information, or data  
13 that is harmful to minors, as defined in s. 847.001, to an  
14 individual in this state who is known to be a minor by means  
15 of unsolicited electronic mail or a computer pop-up. Any  
16 person who knew or reasonably should have known that he or she  
17 was transmitting sexually oriented material or an image,  
18 information, or data in violation of this subsection commits a  
19 felony of the third degree, punishable as provided in s.  
20 775.082, s. 775.083, or s. 775.084.

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

23 Section 2. This act shall take effect July 1, 2006.

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26 SENATE SUMMARY

27 Provides definitions for terms relating to the  
28 transmission of materials to a minor. Prohibits any  
29 person from transmitting sexually oriented material or  
30 material that is harmful to a minor by means of  
31 unsolicited electronic mail or a computer pop-up.  
Provides that a violation of the act is a felony of the  
third degree. Provides criminal penalties. Exempts  
certain subscription-based transmissions from the  
application of the act.