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An act relating to sexual exploitation of children

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 2821 is amended to read:

§ 2821. DEFINITIONS

As used in this chapter:

- (1) “Child” means any **actual** person under 16 years of age.
- (2) “Sexual conduct” means any of the following:
  - (A) any conduct involving contact between the penis and the vulva, the penis and the penis, the penis and the anus, the mouth and the penis, the mouth and the anus, the vulva and the vulva, or the mouth and the vulva;
  - (B) any intrusion, however slight, by any part of a person’s body or any object into the genital or anal opening of another with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any person;
  - (C) any intentional touching, not through the clothing, of the genitals, anus, or breasts of another with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any person;
  - (D) masturbation;
  - (E) bestiality; ~~or~~

(F) sadomasochistic abuse for sexual purposes; or

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(G) any simulation of the conduct described in subdivisions (2)(A)–  
(F) of this section.

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(7)(A) “Simulation” means the explicit depiction of any conduct  
described in subdivisions (2)(A)–(F) of this section that:

(i) involves a child as defined in subdivision (1) of this section;  
(ii) creates the appearance of such conduct; and  
(iii) exhibits naked genitals, buttocks, or breasts below the top of  
the areola.

(B) “Simulation” does not include paintings, drawings, or nonvisual  
or written descriptions of sexual conduct.

(C) “Simulation” applies to conduct, not to a simulated child.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

