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## SENATE BILL NO. 778

Offered January 22, 2026

A BILL to amend and reenact § 18.2-374.4 of the Code of Virginia, relating to display of obscene material to a minor unlawful; penalty.

Patron—Obenshain

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-374.4 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-374.4. Display of obscene material, child pornography, or grooming video or materials to a child unlawful; penalty.**

A. Any person 18 years of age or older who displays *any obscene item or material, including* child pornography or a grooming video or materials to a child ~~under~~ *younger than* 13 years of age with the intent to entice, solicit, or encourage the child to engage in the *touching or fondling of the his own* sexual or genital parts, *the touching or fondling of the sexual or genital parts* of another, or the *touching or fondling* of his sexual or genital parts by another, *or masturbation*, sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, or object sexual penetration is guilty of a Class 6 felony.

**B. "Grooming** For purposes of this section:

"Grooming video or materials" means a cartoon, animation, *video, photograph*, image, or series of images depicting a ~~child~~ *any person* (i) totally nude; (ii) in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast; or (iii) not exposed but the material is obscene where such person is engaged in the *touching or fondling* of the sexual or genital parts of another ~~or~~, the *touching or fondling* of his sexual or genital parts by another, masturbation, sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, or object sexual penetration.

"Obscene item" means the same as that term is described in § 18.2-372 and 18.2-373.

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

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