

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-374.4 of the Code of Virginia, relating to display of obscene material to*  
 3 *a minor unlawful; penalty.*

4 [S 778]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 18.2-374.4 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 18.2-374.4. Display of obscene material, child pornography, or grooming video or materials to a**  
 9 **child unlawful; penalty.**

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

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

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

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

ENROLLED

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