

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1939

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1939.

This bill expands the scope of the lewdness statute to include electronically sending unsolicited nude photos.

The bill makes it a disorderly persons offense for a person to knowingly transmit, by electronic means, visual material that depicts a person engaging in sexual conduct or with the person's intimate parts exposed and the material was not requested by or expressly consented to by the recipient.

The bill also establishes that sending unsolicited electronic lewd images is a fourth degree crime when the person knows or reasonably expects that it will be observed by a child less than 13 years of age or by a person with a mental disease or defect who is unable to understand the sexual nature of the person's conduct.

A disorderly persons offense is punishable by up to six months imprisonment, a \$1,000 fine, or both. A fourth degree crime is punishable by up to 18 months imprisonment, a \$10,000 fine, or both.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to change any reference to the individual committing the crime to "the person."