

**House File 43 - Introduced**

HOUSE FILE 43  
BY GUSTOFF

**A BILL FOR**

- 1 An Act establishing the criminal offense of unlawful electronic
- 2 transmission of sexually explicit visual material, and
- 3 providing penalties.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 692A.102, subsection 1, paragraph a, Code  
2 2025, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (06) Electronic transmission of sexually  
4 explicit picture or video in violation of section 709.9A.

5 Sec. 2. NEW SECTION. **709.9A Electronic transmission of**  
6 **sexually explicit visual material.**

7 A person who is eighteen years of age or older commits a  
8 serious misdemeanor if the person knowingly sends a picture  
9 or video, which the person knows or reasonably should know is  
10 unsolicited, by electronic means depicting any of the following:

11 1. Any person's genitals or pubic area.

12 2. Any person engaging in a sex act, as defined in section  
13 702.17.

14 3. The covered genitals of a male person that are in a  
15 discernibly turgid state.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill establishes the criminal offense of unlawful  
20 electronic transmission of sexually explicit visual material.

21 The bill provides that a person who is 18 years of age or  
22 older who knowingly sends an unsolicited picture or video by  
23 electronic means depicting any person's genitals or pubic area,  
24 any person engaging in a sex act, or the covered genitals of a  
25 male person that are in a discernibly turgid state is guilty of  
26 a serious misdemeanor. A serious misdemeanor is punishable by  
27 confinement for no more than one year and a fine of at least \$430  
28 but not more than \$2,560.

29 A person convicted of a violation of the bill is required to  
30 register as a sex offender.

31 A person convicted of a violation of the bill is also required  
32 to be sentenced to a special sentence committing the person into  
33 the custody of the director of the Iowa department of corrections  
34 for a period of 10 years, with eligibility for parole.