



Families Advocating  
Intelligent Registries

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**HB 272**  
**Favorable**

**Favorable Response to House Bill 272**  
**Criminal Law – Obscene Matter – Sexting by Minor**

Families Advocating Intelligent Registries (FAIR) has a special concern for persons accused and convicted of sexual offenses, and seeks rational, constitutional sexual offense laws and policies. House Bill 272 seems to us to be a very straightforward, simple solution to our Court of Appeals' request to make a clearer law governing sexting between teens.

Rather than all the complicated carve-outs in other bills that have been presented, HB272 simply defines sexting in a new statute, CR § 11-212, and then sets out that a minor charged with sexting will be dealt with in juvenile court. Once there, the court determines if the offense fits the definition of sexting, and may only sentence to committed custody if it can explain on the record that extraordinary circumstances warrant it. Our existing child pornography laws (11-203, 207, and 208) are not changed; instead, 11-212 states that sexting can be a mitigating factor in the juvenile court.

Compared to other options which have complicated carve-outs in each statute, plus lengthy exceptions to the carve-out which would probably prevent many teens from benefiting, HB272 keeps things straightforward. FAIR respectfully recommends that the committee vote to pass this bill.

Sincerely,

Brenda V. Jones, Executive Director  
Families Advocating Intelligent Registries