



# Senate

General Assembly

**File No. 646**

February Session, 2026

Senate Bill No. 292

*Senate, April 15, 2026*

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING THE DEFINITION OF "CHILD SEXUAL ABUSE MATERIAL".***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-193 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 The following definitions are applicable to this section and sections  
4 53a-194 to 53a-210, inclusive:

5 (1) Any material or performance is "obscene" if, (A) taken as a whole,  
6 it predominantly appeals to the prurient interest, (B) it depicts or  
7 describes in a patently offensive way a prohibited sexual act, and (C)  
8 taken as a whole, it lacks serious literary, artistic, educational, political  
9 or scientific value. Predominant appeal shall be judged with reference  
10 to ordinary adults unless it appears from the character of the material or  
11 performance or the circumstances of its dissemination to be designed  
12 for some other specially susceptible audience. Whether a material or  
13 performance is obscene shall be judged by ordinary adults applying

14 contemporary community standards. In applying contemporary  
15 community standards, the state of Connecticut is deemed to be the  
16 community.

17 (2) Material or a performance is "obscene as to minors" if it depicts a  
18 prohibited sexual act and, taken as a whole, it is harmful to minors. For  
19 purposes of this subdivision: (A) "Minor" means any person less than  
20 seventeen years old as used in section 53a-196 and less than sixteen  
21 years old as used in sections 53a-196a and 53a-196b, and (B) "harmful to  
22 minors" means that quality of any description or representation, in  
23 whatever form, of a prohibited sexual act, when (i) it predominantly  
24 appeals to the prurient, shameful or morbid interest of minors, (ii) it is  
25 patently offensive to prevailing standards in the adult community as a  
26 whole with respect to what is suitable material for minors, and (iii) taken  
27 as a whole, it lacks serious literary, artistic, educational, political or  
28 scientific value for minors.

29 (3) "Prohibited sexual act" means erotic fondling, nude performance,  
30 sexual excitement, sado-masochistic abuse, masturbation or sexual  
31 intercourse.

32 (4) "Nude performance" means the showing of the human male or  
33 female genitals, pubic area or buttocks with less than a fully opaque  
34 covering, or the showing of the female breast with less than a fully  
35 opaque covering of any portion thereof below the top of the nipple, or  
36 the depiction of covered male genitals in a discernibly turgid state in  
37 any play, motion picture, dance or other exhibition performed before an  
38 audience.

39 (5) "Erotic fondling" means touching a person's clothed or unclothed  
40 genitals, pubic area, buttocks, or if such person is a female, breast.

41 (6) "Sexual excitement" means the condition of human male or female  
42 genitals when in a state of sexual stimulation or arousal.

43 (7) "Sado-masochistic abuse" means flagellation or torture by or upon  
44 a person clad in undergarments, a mask or bizarre costume, or the

45 condition of being fettered, bound or otherwise physically restrained on  
46 the part of one so clothed.

47 (8) "Masturbation" means the real or simulated touching, rubbing or  
48 otherwise stimulating a person's own clothed or unclothed genitals,  
49 pubic area, buttocks, or, if the person is female, breast, either by manual  
50 manipulation or with an artificial instrument.

51 (9) "Sexual intercourse" means intercourse, real or simulated,  
52 whether genital-genital, oral-genital, anal-genital or oral-anal, whether  
53 between persons of the same or opposite sex or between a human and  
54 an animal, or with an artificial genital.

55 (10) "Material" means anything tangible which is capable of being  
56 used or adapted to arouse prurient, shameful or morbid interest,  
57 whether through the medium of reading, observation, sound or in any  
58 other manner. Undeveloped photographs, molds, printing plates, and  
59 the like, may be deemed obscene notwithstanding that processing or  
60 other acts may be required to make the obscenity patent or to  
61 disseminate it.

62 (11) "Performance" means any play, motion picture, dance or other  
63 exhibition performed before an audience.

64 (12) "Promote" means to manufacture, issue, sell, give, provide, lend,  
65 mail, deliver, transfer, transmit, publish, distribute, circulate,  
66 disseminate, present, exhibit, advertise, produce, direct or participate in.

67 (13) "Child sexual abuse material" means any visual depiction  
68 including any photograph, film, videotape, picture or computer-  
69 generated image or picture, whether made or produced by electronic,  
70 digital, mechanical or other means, of sexually explicit conduct, where  
71 the production of such visual depiction involves the use of a person  
72 under sixteen years of age, or the subject of such visual depiction  
73 appears indistinguishable from a person under sixteen years of age,  
74 engaging in sexually explicit conduct, provided whether the subject of  
75 a visual depiction was a person under sixteen years of age at the time

76 the visual depiction was created is a question to be decided by the trier  
77 of fact.

78 (14) "Sexually explicit conduct" means actual or simulated (A) sexual  
79 intercourse, including genital-genital, oral-genital, anal-genital or oral-  
80 anal physical contact, whether between persons of the same or opposite  
81 sex, or with an artificial genital, (B) bestiality, (C) masturbation, (D)  
82 sadistic or masochistic abuse, or (E) lascivious exhibition of the genitals  
83 or pubic area of any person.

84 (15) "Visual depiction" includes undeveloped film and videotape and  
85 data, as defined in subdivision (8) of section 53a-250, that is capable of  
86 conversion into a visual image and includes encrypted data.

87 (16) A visual depiction of a subject when described as  
88 "indistinguishable" means virtually indistinguishable, in that the visual  
89 depiction is such that an ordinary person viewing the visual depiction  
90 would conclude that the subject of the visual depiction is an actual  
91 person under sixteen years of age engaging in sexually explicit conduct.  
92 "Indistinguishable" is not applicable to a visual depiction that is a  
93 drawing, cartoon, sculpture or painting of a person under sixteen years  
94 of age.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	53a-193

**JUD**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill expands the definition of “child sexual abuse material”, resulting in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines.<sup>1</sup> On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300<sup>2</sup> while the average marginal cost for supervision in the community is less than \$600<sup>3</sup> each year for adults and \$450 each year for juveniles.

**The Out Years**

The annualized ongoing fiscal impact identified above would

<sup>1</sup> Between FY 22 and FY 25, there were a total of 303 offenses recorded and \$755 in fines collected under CGS §§ 53a-196c through 53a-196h. About 80 individuals are currently incarcerated under these statutes.

<sup>2</sup> Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

<sup>3</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

continue into the future subject to the number of offenses and fines collected.

**OLR Bill Analysis****SB 292*****AN ACT CONCERNING THE DEFINITION OF "CHILD SEXUAL ABUSE MATERIAL".*****SUMMARY**

This bill expands the definition of "child sexual abuse material" to include any visual depiction in which the subject engaging in sexually explicit content appears indistinguishable from a person under age 16. Under the bill, "indistinguishable" means virtually indistinguishable, in that an ordinary person viewing the visual depiction would conclude that the subject is an actual person under age 16. It expressly excludes drawings, cartoons, sculptures, or paintings.

By specifying that these virtually indistinguishable depictions are child sexual abuse material, the bill subjects anyone who possesses, imports, or transmits them to charges of (1) 1st, 2nd, or 3rd degree possession of child sexual abuse material; (2) importation of child sexual abuse material; and (3) possession and transmission of child sexual abuse material by a minor (see penalties below).

EFFECTIVE DATE: October 1, 2026

**CHILD SEXUAL ABUSE MATERIAL**

Under current law, "child sexual abuse material" is any visual depiction of sexually explicit conduct involving in its production a person under age 16 engaging in sexually explicit conduct, whether made or produced electronically, digitally, mechanically, or by other means. The bill expands this to include visual depictions in which the subject is virtually indistinguishable from an actual person under age 16, but excludes cartoons, sculptures, or paintings.

**RELATED CRIMES**

Under the bill, possessing, importing, or transmitting child sexual abuse material with visual depictions in which the subject is virtually indistinguishable from an actual person under age 16 can subject the person to charges of 1st, 2nd, or 3rd degree possession of child sexual abuse material, importation of child sexual abuse material, or possession and transmission of child sexual abuse material by a minor depending on the range of visual depictions and the series of images. The penalties for these crimes are shown in the table below.

**Table: Penalties for Sexual Abuse Material-Related Crimes**

<i>Child Sexual Abuse Material-Related Crimes</i>	<i>Classification</i>	<i>Penalty</i>	<i>Minimum Sentence</i>
1st Degree possession (CGS § 53a-196d)	Class B felony	One- to 20-year prison term, up to \$15,000 in fines, or both	Five-year minimum
2nd Degree possession (CGS § 53a-196e)	Class C felony	One- to 10-year prison term, up to \$10,000 in fines, or both	Two-year minimum
3rd Degree possession (CGS § 53a-196f)	Class D felony	Up to five-year prison term, up to \$5,000 in fines, or both	One-year minimum
Importing (CGS § 53a-196c)	Class B felony	One- to 20-year prison term, up to \$15,000 in fines, or both	Five-year minimum
Possessing or transmitting by a minor (CGS § 53a-196h)	Class A misdemeanor	Up to 364 days in prison, up to \$2,000 in fines, or both	None

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (03/30/2026)