

HOUSE BILL NO. 1708

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate LaRock)

A BILL to amend and reenact §§ 15.2-926.2 and 18.2-391.1 of the Code of Virginia, relating to prohibited sales and loans of materials deemed harmful to juveniles; exceptions; schools.

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

**1. That §§ 15.2-926.2 and 18.2-391.1 of the Code of Virginia are amended and reenacted as follows:**

**§ 15.2-926.2. Adoption of ordinances prohibiting obscenity.**

The locality may adopt ordinances to prohibit obscenity or conduct paralleling the provisions of Article 5 (§ 18.2-372 et seq.) and Article 6 (§ 18.2-390 et seq.) of Chapter 8 of Title 18.2 and prohibiting the dissemination to juveniles of, and their access to, materials deemed harmful to juveniles as defined in subsection (6) of § 18.2-390 in public at places frequented by juveniles or where juveniles are or may be invited as part of the general public. Exceptions as provided in § 18.2-391.1 shall apply thereto. The penalty for violating the provisions of such ordinance shall not be greater than the penalty imposed for a Class 1 misdemeanor.

**§ 18.2-391.1. Exceptions to application of article.**

Nothing contained in this article shall be construed to apply to:

1. The purchase, distribution, exhibition, or loan of any work of art, book, magazine, or other printed or manuscript material by any accredited museum, library, ~~school~~, or institution of higher education.

2. The exhibition or performance of any play, drama, tableau, or motion picture by any theatre, museum, ~~school~~, or institution of higher education, either supported by public appropriation or which is an accredited institution supported by private funds.