

531.340 Distribution of matter portraying a sexual performance by a minor.

- (1) A person is guilty of distribution of matter portraying a sexual performance by a minor when, having knowledge of its content and character, he or she:
 - (a) Sends or causes to be sent into this state for sale or distribution; or
 - (b) Brings or causes to be brought into this state for sale or distribution; or
 - (c) In this state, he or she:
 1. Exhibits for profit or gain; or
 2. Distributes; or
 3. Offers to distribute; or
 4. Has in his or her possession with intent to distribute, exhibit for profit or gain or offer to distribute, any matter portraying a sexual performance by a minor.
- (2) Any person who has in his or her possession more than one (1) unit of material coming within the provision of KRS 531.300(2) shall be rebuttably presumed to have such material in his or her possession with the intent to distribute it.
- (3) Distribution of matter portraying a sexual performance by a minor is:
 - (a) A Class D felony for the first offense, and a Class C felony for each subsequent offense, if the person knows that the minor portrayed is less than eighteen (18) years old at the time of the sexual performance; and
 - (b) A Class C felony for the first offense, and a Class B felony for each subsequent offense, if the person knows that the minor portrayed is less than twelve (12) years old at the time of the sexual performance.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 87, sec. 2, effective June 29, 2021. -- Amended 2006 Ky. Acts ch. 182, sec. 40, effective July 12, 2006. -- Amended 1992 Ky. Acts ch. 201, sec. 2, effective July 14, 1992. -- Created 1978 Ky. Acts ch. 219, sec. 6, effective June 17, 1978.