

510.155 Unlawful use of electronic means originating or received within the Commonwealth to induce a minor to engage in sexual or other prohibited activities -- Prohibition of multiple convictions arising from single course of conduct -- Solicitation as evidence of intent.

- (1) It shall be unlawful for any person to knowingly use a communications system, including computers, computer networks, computer bulletin boards, cellular telephones, or any other electronic means, for the purpose of:
 - (a) Procuring or promoting the use of a minor, including a peace officer, or a person working in coordination with law enforcement, posing as a minor if the person believes that the peace officer or the person working in coordination with law enforcement is a minor or is wanton or reckless in that belief; or
 - (b) Procuring or promoting the use of a minor from an adult intermediary, including a peace officer, or a person working in coordination with law enforcement, posing as an adult intermediary for a minor if the person believes that the peace officer or the person working in coordination with law enforcement is an adult intermediary for a minor or is wanton or reckless in that belief;

for any activity in violation of KRS 510.040, 510.050, 510.060, 510.070, 510.080, 510.090, 510.110, 529.100 where that offense involves commercial sexual activity, or 530.064(1)(a), or KRS Chapter 531.

- (2) No person shall be convicted of this offense and an offense specified in KRS 506.010, 506.030, 506.040, or 506.080 for a single course of conduct intended to consummate in the commission of the same offense with the same minor or peace officer.
- (3) Each day a person knowingly uses a communications system for the purpose of procuring or promoting the use of a minor shall be a separate violation of this section.
- (4) The solicitation of a minor through electronic communication under subsection (1) of this section shall be prima facie evidence of the person's intent to commit the offense, and the offense is complete at that point without regard to whether the person met or attempted to meet the minor.
- (5) This section shall apply to electronic communications originating within or received within the Commonwealth.
- (6) Except as provided in subsection (7) of this section, a violation of this section is punishable as a Class C felony.
- (7) A violation of this section is punishable as a Class B felony if:
 - (a) The minor or perceived minor procured or promoted is under twelve (12) years old;
 - (b) The offender is a person in a position of authority or position of special trust as those terms are defined in KRS 532.045;
 - (c) The offender is a registrant;
 - (d) A person enters into the Commonwealth from another jurisdiction for the

purpose of procuring or promoting the use of a minor or perceived minor in violation of this section; or

- (e) The minor or perceived minor procured or promoted is for an activity in violation of KRS 529.100 where that offense involves commercial sexual activity.

Effective: July 15, 2024

History: Amended 2024 Ky. Acts ch. 106, sec. 6, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 88, sec. 2, effective June 29, 2021. -- Amended 2013 Ky. Acts ch. 41, sec. 4, effective June 25, 2013. -- Amended 2009 Ky. Acts ch. 100, sec. 1, effective June 25, 2009. -- Amended 2007 Ky. Acts ch. 19, sec. 12, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 182, sec. 35, effective July 12, 2006. -- Created 2005 Ky. Acts ch. 160, sec. 1, effective June 20, 2005.