

1 AN ACT relating to crimes and punishments.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 531.300 is amended to read as follows:

4 As used in KRS 531.080 and 531.310 to 531.370:

5 (1) **"Child sex doll" means an anatomically correct doll, mannequin, or robot that is**
6 **intended for sexual stimulation or gratification and that has the features of, or**
7 **with features that resemble those of, a minor;**

8 (2) "Distribute" means to transfer possession of, whether with or without consideration;

9 ~~(3)~~(2) "Matter" means any book, magazine, newspaper, or other printed or written
10 material or any picture, drawing, photograph, motion picture, live image transmitted
11 over the Internet or other electronic network, or other pictorial representation or any
12 statue or other figure, or any recording transcription or mechanical, chemical or
13 electrical reproduction or any other articles, equipment, machines, or materials;

14 ~~(4)~~(3) "Obscene" means the predominate appeal of the matter taken as a whole is to
15 a prurient interest in sexual conduct involving minors;

16 ~~(5)~~(4) "Sexual conduct by a minor" means:

17 (a) Acts of masturbation, homosexuality, lesbianism, bestiality, sexual
18 intercourse, or deviant sexual intercourse, actual or simulated;

19 (b) Physical contact with, or willful or intentional exhibition of the genitals;

20 (c) Flagellation or excretion for the purpose of sexual stimulation or gratification;
21 or

22 (d) The exposure, in an obscene manner, of the unclothed or apparently unclothed
23 human male or female genitals, pubic area or buttocks, or the female breast,
24 whether or not subsequently obscured by a mark placed thereon, or otherwise
25 altered, in any resulting motion picture, photograph or other visual
26 representation, exclusive of exposure portrayed in matter of a private, family
27 nature not intended for distribution outside the family;

1 ~~(6)~~~~(5)~~ "Performance" means any play, motion picture, photograph or dance.
 2 Performance also means any other visual representation exhibited before an
 3 audience;

4 ~~(7)~~~~(6)~~ "Sexual performance" means any performance or part thereof which includes
 5 sexual conduct by a minor;~~and~~

6 ~~(8)~~~~(7)~~ "Promote" means to prepare, publish, print, procure or manufacture, or to
 7 offer or agree to do the same; **and**

8 **(9) "Traffic" means to manufacture, distribute, sell, transfer, or possess with intent**
 9 **to manufacture, distribute, sell, or transfer.**

10 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 531.310 TO 531.370 IS
 11 CREATED TO READ AS FOLLOWS:

12 **(1) A person is guilty of possession of a child sex doll when he or she knowingly**
 13 **possesses a child sex doll.**

14 **(2) Possession of a child sex doll is a Class D felony.**

15 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 531.310 TO 531.370 IS
 16 CREATED TO READ AS FOLLOWS:

17 **(1) A person is guilty of trafficking a child sex doll when he or she knowingly traffics**
 18 **a child sex doll.**

19 **(2) Trafficking a child sex doll is a Class C felony.**

20 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 531.310 TO 531.370 IS
 21 CREATED TO READ AS FOLLOWS:

22 **(1) A person is guilty of importing a child sex doll when he or she knowingly**
 23 **transports a child sex doll into the Commonwealth by any means with the intent**
 24 **to distribute, sell, or transfer the child sex doll.**

25 **(2) Importing a child sex doll is a Class C felony.**

26 ➔Section 5. KRS 531.340 is amended to read as follows:

27 (1) A person is guilty of distribution of matter portraying a sexual performance by a

- 1 minor when, having knowledge of its content and character, he or she:
- 2 (a) Sends or causes to be sent into this state for sale or distribution; or
- 3 (b) Brings or causes to be brought into this state for sale or distribution; or
- 4 (c) In this state, he or she:
- 5 1. Exhibits for profit or gain; or
- 6 2. Distributes; or
- 7 3. Offers to distribute; or
- 8 4. Has in his or her possession with intent to distribute, exhibit for profit or
- 9 gain or offer to distribute, any matter portraying a sexual performance by
- 10 a minor.
- 11 (2) Any person who has in his or her possession more than one (1) unit of material
- 12 coming within the provision of KRS 531.300(3)~~[(2)]~~ shall be rebuttably presumed
- 13 to have such material in his or her possession with the intent to distribute it.
- 14 (3) Distribution of matter portraying a sexual performance by a minor is a Class D
- 15 felony for the first offense and a Class C felony for each subsequent offense.