

1 AN ACT relating to child pornography.

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

6 (2) "Matter" means:

7 **(a)** Any book, magazine, newspaper, or other printed or written material;~~[-or-]~~

8 **(b)** Any picture, drawing, photograph, motion picture, live image transmitted over
9 the internet or other electronic network, or other pictorial representation or
10 any statue or other figure;~~[-or-]~~

11 **(c)** Any recording;~~;~~ transcription;~~;~~ or mechanical, chemical,~~;~~ or electrical
12 reproduction;~~;~~ or any other articles, equipment, machines, or materials;~~;~~ **or**

13 **(d) Any computer-generated image, picture, or motion picture;**

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

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

17 (a) Acts of masturbation, homosexuality, lesbianism, **bestiality**~~[bestiality]~~,
18 sexual intercourse, or **deviate**~~[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 (5) "Performance" means any play, motion picture, photograph, or dance. Performance
2 also means any other visual representation exhibited before an audience;
- 3 (6) "Sexual performance" means any performance or part thereof which includes sexual
4 conduct by a minor; and
- 5 (7) "Promote" means to prepare, publish, print, procure, or manufacture, or to offer or
6 agree to do the same.