

Offered: 6/14/83
Referred: Rules

Original sponsors: Liska, Adams,
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1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 270 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child pornography."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 11.41.455 is repealed and reenacted to read:

9 Sec. 11.41.455. UNLAWFUL EXPLOITATION OF A MINOR. (a) A person
10 commits the crime of unlawful exploitation of a minor if, in the state
11 and with the intent of producing a live performance, film, photograph,
12 negative, slide, book, newspaper, magazine, or other printed material
13 that visually depicts the conduct listed in (1) - (6) of this subsection,
14 the person knowingly induces or employs a child under 18 years
15 of age to engage in, or photographs, films, or televises a child under
16 18 years of age engaged in, the following actual or simulated conduct:

17 (1) sexual penetration;

18 (2) the lewd touching of another person's genitals, anus,
19 or breast;

20 (3) the lewd touching by another person of the child's
21 genitals, anus, or breast;

22 (4) masturbation;

23 (5) bestiality; or

24 (6) the lewd exhibition of the child's genitals.

25 (b) A parent, legal guardian, or person having custody or control
26 of a child under 18 years of age commits the crime of unlawful
27 exploitation of a minor if, in the state, the person permits the child
28 to engage in conduct described in (a) of this section knowing that the
29 conduct is intended to be used in producing a live performance, film,

1 photograph, negative, slide, book, newspaper, magazine, or other
2 printed material that visually depicts the conduct.

3 (c) Unlawful exploitation of a minor is a class B felony.

4 * Sec. 2. AS 11.61 is amended by adding a new section to read:

5 Sec. 11.61.125. DISTRIBUTION OF CHILD PORNOGRAPHY. (a) A
6 person commits the crime of distribution of child pornography if the
7 person brings or causes to be brought into the state for sale or
8 distribution, or in the state possesses, prepares, publishes, or
9 prints with intent to distribute, sell, or exhibit to others for
10 commercial consideration, any material that visually depicts conduct
11 described under AS 11.41.455(a), knowing that the production of the
12 material involved the use of a child under 18 years of age who engaged
13 in the conduct.

14 (b) This section does not apply to acts that are an integral
15 part of the exhibition or performance of a motion picture if the acts
16 are performed within the scope of employment by a motion picture
17 operator or projectionist employed by the owner or manager of a thea-
18 ter or other place for the showing of motion pictures, unless the
19 motion picture operator or projectionist

20 (1) has a financial interest in the theater or place in
21 which employed; or

22 (2) causes the performance or motion picture to be per-
23 formed or exhibited without the consent of the manager or owner of the
24 theater or other place of showing.

25 (c) Distribution of child pornography is a class C felony.