

HB 1637 -- Pornographic Material

Sponsor: Bruns

This bill expands the crime of furnishing pornographic material to minors to include situations in which a person engages in any type of lewd communication or conversation with a minor via the Internet, with knowledge that the person being communicated to or conversed with is a minor or acting in reckless disregard of the likelihood that the person is a minor, and the communication or conversation is pornographic for minors.

The bill specifies that it is not an affirmative defense to a prosecution of this crime if a peace officer was masquerading as a minor.

The penalty for the crime of furnishing pornographic material to minors is increased from a class A misdemeanor to a class D felony unless the person has previously pled guilty to or been found guilty of a sexual or pornographic offense in which case the penalty is increased from a class D felony to a class C felony.