



General Assembly

Substitute Bill No. 5504

February Session, 2012

* _____HB05504JUD__040212_____*

AN ACT CONCERNING COMMERCIAL SEXUAL EXPLOITATION OF A MINOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2012*) (a) For the purposes of
2 this section:

3 (1) "Advertisement for a commercial sex act" or "advertisement"
4 means any advertisement or offer in electronic or print media which
5 includes an explicit or implicit offer for a commercial sex act to occur
6 in this state;

7 (2) "Commercial sex act" means any act of sexual contact, as defined
8 in section 53a-65 of the general statutes, or sexual intercourse, as
9 defined in section 53a-65 of the general statutes, for which something
10 of value is given to or received by any person;

11 (3) "Depiction" means any photograph, film, videotape, visual
12 material or printed material; and

13 (4) "Person" has the meaning provided in section 53a-3 of the
14 general statutes, but does not include a government or a governmental
15 instrumentality.

16 (b) A person is guilty of commercial sexual exploitation of a minor
17 when such person knowingly purchases advertising space for an

18 advertisement for a commercial sex act that includes a depiction of a
19 minor.

20 (c) (1) In any prosecution for an offense under this section, it shall
21 not be a defense that the defendant (A) did not know the age of the
22 person depicted in the advertisement, (B) relied on an oral or written
23 representation of the age of the person depicted in the advertisement,
24 or (C) relied on the apparent age of the person depicted in the
25 advertisement.

26 (2) In any prosecution for an offense under this section, it shall be an
27 affirmative defense that the defendant, prior to purchasing advertising
28 space for the advertisement, made a reasonable bona fide attempt to
29 ascertain the true age of the person depicted in the advertisement by
30 requiring the person depicted in the advertisement to produce a
31 driver's license, marriage license, birth certificate or other government-
32 issued or school-issued identity card that identifies the age of the
33 person, provided the defendant retains and produces a copy or other
34 record of the license, certificate or identity card used to ascertain the
35 age of the person depicted in the advertisement.

36 (d) Commercial sexual exploitation of a minor is a class C felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	New section

JUD *Joint Favorable Subst.*