



Substitute House Bill No. 5504

Public Act No. 12-141

**AN ACT CONCERNING COMMERCIAL SEXUAL EXPLOITATION
OF A MINOR.**

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

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

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

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

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

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

Substitute House Bill No. 5504

(b) A person is guilty of commercial sexual exploitation of a minor when such person knowingly purchases advertising space for an advertisement for a commercial sex act that includes a depiction of a minor.

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

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

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

Approved June 15, 2012