

WORKING DRAFT

SENATE FILE NO. _____

Soliciting minors.

Sponsored by: Joint Judiciary Interim Committee and Joint Labor, Health and Social Services Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; amending elements
2 of the crime of soliciting minors to engage in illicit
3 sexual relations; specifying that anyone who solicits,
4 causes or encourages a person under the age of sixteen
5 years or who is purported to be under the age of sixteen
6 years to engage in illicit sexual activities or who causes
7 or encourages such activities is guilty of a felony;
8 amending definitions; and providing for an effective date.

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10 *Be It Enacted by the Legislature of the State of Wyoming:*

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12 **Section 1.** W.S. 6-4-303(a)(ii)(B) and (C) and
13 14-3-104 are amended to read:

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1 **6-4-303. Sexual exploitation of children; penalties;**
2 **definitions.**

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4 (a) As used in this section:

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6 (ii) "Child pornography" means any visual
7 depiction, including any photograph, film, video, picture,
8 computer or computer-generated image or picture, whether or
9 not made or produced by electronic, mechanical or other
10 means, of explicit sexual conduct, where:

11
12 (B) The visual depiction is, ~~or appears to~~
13 ~~be, of a child engaging in~~ of explicit sexual conduct
14 involving a child or an individual virtually
15 indistinguishable from a child; or

16
17 (C) The visual depiction has been created,
18 adapted or modified to ~~appear that a child is engaging in~~
19 depict explicit sexual conduct involving a child or an
20 individual virtually indistinguishable from a child. ~~or~~

21
22 **14-3-104. Soliciting to engage in illicit sexual**
23 **relations; penalty.**

1 Except under circumstance constituting sexual assault in
2 the first, second or third degree as defined by W.S.
3 6-2-302 through 6-2-304, anyone who solicits, procures or
4 knowingly encourages anyone under the age of sixteen (16)
5 years or a person purported to be under the age of sixteen
6 (16) years to engage in illicit sexual penetration or
7 sexual intrusion as defined in W.S. 6-2-301 or knowingly
8 causes or encourages any person to solicit, procure or
9 encourage a person under the age of sixteen (16) years or a
10 person purported to be under the age of sixteen (16) years
11 to commit any illicit sexual penetration or sexual
12 intrusion as defined in W.S. 6-2-301 is guilty of a felony,
13 and upon conviction shall be imprisoned for a term of not
14 more than five (5) years.

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16 **Section 2.** W.S. 6-4-303(a)(ii)(D) is repealed.

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18 **Section 3.** This act is effective July 1, 2005.

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(END)