

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 503

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**Version:** First Engrossment

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**Subject:** Internet Sexual Solicitation/Communication with Children

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### Overview

This bill expands the scope of the statute that criminalizes solicitation of children to engage in sexual conduct by adding to the statute offenses committed over the Internet.

#### Section

#### **1 Solicitation of Children to Engage in Sexual Conduct.**

**Subd. 1. Definitions.** Adds the term "sexually explicit" to the current list of defined terms: "child," "sexual conduct," and "solicit." A "child" is defined as a person 15 years of age or younger.

**Subd. 2. Prohibited act.** Strikes the penalty language and moves it to new subdivision 4.

**Subd. 2a. Internet or computer solicitation of children.** A person 18 years of age or older is guilty of a felony if he uses a computer or the Internet to communicate with a child with the intent to arouse or gratify the sexual desire of any person and the person does any of the following:

- "solicits" a child to engage in sexual conduct;
- communicates in a "sexually explicit" manner with a child; or
- distributes "sexually explicit" material to a child.

**Subd. 2b. Jurisdiction.** Permits prosecution of an offense under subdivision 2a if the

**Section**

communication originated or was received within the state.

**Subd. 3. Defenses.** Mistake as to age is not a defense to prosecution under subdivision 2. Mistake as to age is a defense to prosecution under subdivision 2a. Denies perpetrators the defense that an undercover operative was involved in the detection or investigation of an offense.

**Subd. 4. Penalty.** Maintains the current three-year felony for a violation of this section.

**Effective Date.** This section is effective August 1, 2007.