

**§258. Sexual misconduct with a child under 14 years of age**

1. A person is guilty of sexual misconduct with a child under 14 years of age if that person, having in fact attained 18 years of age, knowingly displays any sexually explicit materials to another person, not the actor's spouse, who has not in fact attained the age of 14 years, with the intent to encourage the other person to engage in a sexual act or sexual contact. Violation of this subsection is a Class D crime. [PL 2003, c. 711, Pt. B, §5 (AMD).]

1-A. A person is guilty of sexual misconduct with a child under 12 years of age if that person, having in fact attained 18 years of age, knowingly displays any sexually explicit materials to another person, not the actor's spouse, who has not in fact attained 12 years of age, with the intent to encourage the other person to engage in a sexual act or sexual contact. Violation of this subsection is a Class C crime.

[PL 2003, c. 711, Pt. B, §6 (NEW).]

2. As used in this section, "sexually explicit materials" means any book, magazine, print, negative, slide, motion picture, videotape or other mechanically reproduced visual material that the person knows or should know depicts a person, minor or adult, engaging in sexually explicit conduct, as that term is defined in section 281.

[PL 2003, c. 711, Pt. B, §7 (AMD).]

3.

[PL 2003, c. 711, Pt. B, §8 (RP).]

**SECTION HISTORY**

PL 1997, c. 143, §1 (NEW). PL 2003, c. 711, §§B5-8 (AMD).

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