
SUBSTITUTE SENATE BILL 6247

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Benton, Roach, Strannigan, Anderson, Oke, Swecker, Stevens and Patterson)

Read first time 02/06/98.

1 AN ACT Relating to display of sexually explicit material to minors;
2 amending RCW 9.68.130 and 9.68.050; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.68.130 and 1975 1st ex.s. c 156 s 1 are each amended
5 to read as follows:

6 (1) A person is guilty of unlawful display of sexually explicit
7 material if ((he)) the person knowingly exhibits such material on a
8 viewing screen so that the sexually explicit material is easily visible
9 from a public thoroughfare, park, or playground or from one or more
10 family dwelling units.

11 (2) A person is guilty of unlawful display of sexually explicit
12 material to a minor if the person knowingly shows sexually explicit
13 material that is inappropriate for minors on a viewing screen so that
14 such material is visible to a minor who is not trespassing.

15 (3)(a) "Inappropriate for minors" as that term is used in this
16 section means the work, if taken as a whole, depicts nudity, sexual
17 conduct, sexual excitement, or sado-masochistic abuse which
18 predominantly appeals to the prurient, morbid, or shameful interests of
19 minors.

1 **(b)** "Sexually explicit material" as that term is used in this
2 section means any pictorial material displaying direct physical
3 stimulation of unclothed genitals, masturbation, sodomy (i.e.
4 bestiality or oral or anal intercourse), flagellation or torture in the
5 context of a sexual relationship, or emphasizing the depiction of adult
6 human genitals: PROVIDED HOWEVER, That works of art or of
7 anthropological, scientific, or medical significance or for educational
8 or health purposes funded in part or in whole by the state, county,
9 municipality, or other political subdivision of the state shall not be
10 deemed to be within the foregoing definition.

11 ~~((3))~~ (4) Any person who violates subsection (1) or (2) of this
12 section shall be guilty of a misdemeanor.

13 **Sec. 2.** RCW 9.68.050 and 1992 c 5 s 1 are each amended to read as
14 follows:

15 For the purposes of RCW 9.68.050 through 9.68.120:

16 (1) "Minor" means any person under the age of eighteen years;

17 (2) "Erotic material" means printed material, photographs,
18 pictures, motion pictures, sound recordings, and other material the
19 dominant theme of which taken as a whole appeals to the prurient
20 interest of minors in sex; which is patently offensive because it
21 affronts contemporary community standards relating to the description
22 or representation of sexual matters or sado-masochistic abuse; and is
23 utterly without redeeming social value;

24 (3) "Person" means any individual, corporation, or other
25 organization;

26 (4) "Dealers,"~~((7))~~ "distributors,"~~((7))~~ and "exhibitors" mean
27 persons engaged in the distribution, sale, or exhibition of printed
28 material, photographs, pictures, motion pictures, or sound recordings;

29 (5) "Exhibit" means to show in such a place or at such time that a
30 minor views the material while not trespassing.

--- END ---