

FINAL BILL REPORT

ESSB 6251

C 138 L 12
Synopsis as Enacted

Brief Description: Regulating advertising of commercial sexual abuse of a minor.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Delvin, Eide, Chase, Pflug, Conway, Kline, Ranker, Stevens, Fraser, Regala, Nelson, Roach and Frockt).

Senate Committee on Judiciary
House Committee on Public Safety & Emergency Preparedness

Background: A 2008 Seattle human services department report estimated that there are 300 to 500 children being exploited for sex in the Seattle area alone each year. According to the Seattle police department, since the beginning of 2010, at least 22 children have been advertised online in the Seattle area for commercial sex and were recovered by the police department.

Summary: A person commits the offense of advertising commercial sexual abuse of a minor if the person knowingly publishes, disseminates, or displays or causes directly or indirectly to be published, disseminated, or displayed any advertisement for a commercial sex act that is to take place in the state and which includes the depiction of a minor.

Advertisement for a commercial sex act, commercial sex act, and depiction are defined.

It is a defense, which the defendant must prove by a preponderance of the evidence, that the defendant made a reasonable bona fide attempt to ascertain the true age of the minor depicted in the advertisement by requiring, prior to publication, dissemination, or display of the advertisement, production of an identification card or paper of the minor depicted in the advertisement. In order to invoke the defense, the defendant must produce for inspection by law enforcement a record of the identification used to verify the age of the person depicted in the advertisement.

Advertising commercial sexual abuse of a minor is a class C felony, punishable by up to one year of confinement and/or a fine of up to \$10,000.

A federal severability clause is added.

Votes on Final Passage:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Senate 49 0
House 96 0

Effective: June 7, 2012