

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

S

1

SENATE BILL 472

Short Title: Child Exploitation Prevention Act. (Public)

Sponsors: Senators Thomas; Apodaca, Atwater, Berger of Franklin, Boseman, Garwood, Graham, Kinnaird, Swindell, and Weinstein.

Referred to: Judiciary II.

March 10, 2005

A BILL TO BE ENTITLED

1 AN ACT TO PROTECT CHILDREN FROM SEXUAL PREDATORS BY ALSO
2 MAKING IT A FELONY CRIMINAL OFFENSE TO SOLICIT A PERSON THE
3 PERPETRATOR BELIEVES TO BE A CHILD TO COMMIT UNLAWFUL SEX
4 ACTS.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 14-202.3 reads as rewritten:

8 "**§ 14-202.3. Solicitation of child by computer to commit an unlawful sex act.**

9 (a) Offense. – A person is guilty of solicitation of a child by a computer if the
10 person is 16 years of age or older and the person knowingly, with the intent to commit
11 an unlawful sex act, entices, advises, coerces, orders, or commands, by means of a
12 computer, a child or a person the perpetrator believes to be a child who is less than 16
13 years of age and at least 3 years younger than the defendant, to meet with the defendant
14 or any other person for the purpose of committing an unlawful sex act. Consent is not a
15 defense to a charge under this section.

16 (b) Jurisdiction. – The offense is committed in the State for purposes of
17 determining jurisdiction, if the transmission that constitutes the offense either originates
18 in the State or is received in the State.

19 (c) Punishment. – A violation of this section is a Class I felony."

20 **SECTION 2.** This act becomes effective December 1, 2005, and applies to
21 offenses committed on or after that date.