

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1101

Short Title: Possess Child Pornography Materials.

(Public)

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Sponsors: Representative Stam.

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Referred to: Judiciary.

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April 7, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT POSSESSION OF MATERIALS CONTAINING A  
VISUAL REPRESENTATION OF A MINOR ENGAGING IN SEXUAL  
ACTIVITY IS A FELONY.

The General Assembly of North Carolina enacts:

Section 1. Article 26 of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-190.17A. Third degree sexual exploitation of a minor.**

(a) Offense - A person commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a minor engaging in sexual activity.

(b) Mistake of Age - Mistake of age is not a defense to a prosecution under this section.

(c) Punishment and Sentencing - Violation of this section is a Class J felony punishable by a minimum mandatory sentence of imprisonment of no less than one year."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to offenses occurring on or after that date.