

ENROLLED ACT NO. 23, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

AN ACT relating to crimes and offenses; amending elements of the crime of soliciting minors to engage in illicit sexual relations; specifying that any adult who solicits, causes or encourages a person under the age of sixteen years or who is purported to be under the age of sixteen years to engage in illicit sexual activities or who causes or encourages such activities is guilty of a felony; amending definitions; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 6-4-303(a)(ii)(B) and (C) and 14-3-104 are amended to read:

**6-4-303. Sexual exploitation of children; penalties; definitions.**

(a) As used in this section:

(ii) "Child pornography" means any visual depiction, including any photograph, film, video, picture, computer or computer-generated image or picture, whether or not made or produced by electronic, mechanical or other means, of explicit sexual conduct, where:

(B) The visual depiction is, ~~or appears to be, of a child engaging in~~ of explicit sexual conduct involving a child or an individual virtually indistinguishable from a child; or

(C) The visual depiction has been created, adapted or modified to ~~appear that a child is engaging in~~ depict explicit sexual conduct; ~~or involving a child or an individual virtually indistinguishable from a child.~~

ORIGINAL SENATE  
FILE NO. 0050

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**14-3-104. Soliciting to engage in illicit sexual relations; penalty.**

Except under circumstance constituting sexual assault in the first, second or third degree as defined by W.S. 6-2-302 through 6-2-304, anyone who has reached the age of majority and who solicits, procures or knowingly encourages anyone under the age of sixteen (16) years or a person purported to be under the age of sixteen (16) years to engage in illicit sexual penetration or sexual intrusion as defined in W.S. 6-2-301 or knowingly causes or encourages any person to solicit, procure or encourage a person under the age of sixteen (16) years or a person purported to be under the age of sixteen (16) years to commit any illicit sexual penetration or sexual intrusion as defined in W.S. 6-2-301 is guilty of a felony, and upon conviction shall be imprisoned for a term of not more than five (5) years.

**Section 2.** W.S. 6-4-303(a)(ii)(D) is repealed.

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**Section 3.** This act is effective July 1, 2005.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk