

### **531.010 Definitions.**

As used in this chapter:

- (1) "Distribute" means to transfer possession of, whether with or without consideration.
- (2) "Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, live image transmitted over the Internet or other electronic network, or other pictorial representation or any statue or other figure, or any recording transcription or mechanical, chemical or electrical reproduction or any other articles, equipment, machines, or materials.
- (3) "Obscene" means:
  - (a) To the average person, applying contemporary community standards, the predominant appeal of the matter, taken as a whole, is to prurient interest in sexual conduct; and
  - (b) The matter depicts or describes the sexual conduct in a patently offensive way; and
  - (c) The matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- (4) "Sexual conduct" means acts of masturbation, homosexuality, lesbianism, bestiality, sexual intercourse, or deviant sexual intercourse; or physical contact with the genitals, flagellation, or excretion for the purpose of sexual stimulation or gratification.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 100, sec. 3, effective June 25, 2009. -- Created 1974 Ky. Acts ch. 406, sec. 265, effective January 1, 1975.