

531.300 Definitions for KRS 531.080 and 531.310 to 531.370.

As used in KRS 531.080 and 531.310 to 531.370:

- (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 the predominate appeal of the matter taken as a whole is to a prurient interest in sexual conduct involving minors;
- (4) "Sexual conduct by a minor" means:
 - (a) Acts of masturbation, homosexuality, lesbianism, bestiality, sexual intercourse, or deviant sexual intercourse, actual or simulated;
 - (b) Physical contact with, or willful or intentional exhibition of the genitals;
 - (c) Flagellation or excretion for the purpose of sexual stimulation or gratification;
or
 - (d) The exposure, in an obscene manner, of the unclothed or apparently unclothed human male or female genitals, pubic area or buttocks, or the female breast, whether or not subsequently obscured by a mark placed thereon, or otherwise altered, in any resulting motion picture, photograph or other visual representation, exclusive of exposure portrayed in matter of a private, family nature not intended for distribution outside the family;
- (5) "Performance" means any play, motion picture, photograph or dance. Performance also means any other visual representation exhibited before an audience;
- (6) "Sexual performance" means any performance or part thereof which includes sexual conduct by a minor; and
- (7) "Promote" means to prepare, publish, print, procure or manufacture, or to offer or agree to do the same.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 100, sec. 4, effective June 25, 2009. -- Amended 1986 Ky. Acts ch. 439, sec. 6, effective July 15, 1986. -- Created 1978 Ky. Acts ch. 219, sec. 2, effective June 17, 1978.