

**531.340 Distribution of matter portraying a sexual performance by a minor.**

- (1) A person is guilty of distribution of matter portraying a sexual performance by a minor when, having knowledge of its content and character, he or she:
  - (a) Sends or causes to be sent into this state for sale or distribution;
  - (b) Brings or causes to be brought into this state for sale or distribution; or
  - (c) In this state:
    1. Exhibits for profit or gain;
    2. Distributes;
    3. Offers to distribute; or
    4. Has in his or her possession with intent to distribute, exhibit for profit or gain or offer to distribute;any matter portraying a sexual performance by a minor or computer-generated image of a minor.
- (2) Any person who has in his or her possession more than one (1) unit of matter, as defined in KRS 531.010, shall be rebuttably presumed to have that matter in his or her possession with the intent to distribute it.
- (3) Distribution of matter portraying a sexual performance by a minor is:
  - (a) A Class C felony if the person knows that the minor or computer-generated image of a minor portrayed is less than eighteen (18) years old at the time of the sexual performance; and
  - (b) A Class B felony if the person knows that the minor or computer-generated image of a minor portrayed is less than twelve (12) years old at the time of the sexual performance.
- (4) Any person convicted under this section shall not be released on probation or parole until he or she has served at least eighty-five percent (85%) of the sentence imposed.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 15, sec. 11, effective July 15, 2024; and ch. 106, sec. 9, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 87, sec. 2, effective June 29, 2021. -- Amended 2006 Ky. Acts ch. 182, sec. 40, effective July 12, 2006. - - Amended 1992 Ky. Acts ch. 201, sec. 2, effective July 14, 1992. -- Created 1978 Ky. Acts ch. 219, sec. 6, effective June 17, 1978.

**Legislative Research Commission Note (7/15/2024).** This statute was amended by 2024 Ky. Acts chs. 15 and 106, which do not appear to be in conflict and have been codified together.