

mission of an offense under section 2421, 2422, or 2423 of chapter 117,” for “or 2252 of this chapter”.

Subsec. (a)(3). Pub. L. 105-314, § 603(2), substituted “2252, 2252A, or 2260 of this chapter, or obtained from a violation of section 2421, 2422, or 2423 of chapter 117,” for “or 2252 of this chapter”.

1994—Subsec. (f). Pub. L. 103-322, § 330011(m)(2), amended directory language of Pub. L. 101-647, § 3565(3)(A). See 1990 Amendment note below.

1990—Subsec. (a)(1) to (3). Pub. L. 101-647, § 3565(1), substituted “section 2251” for “sections 2251”.

Subsec. (e). Pub. L. 101-647, § 3565(2), inserted heading. Subsec. (f). Pub. L. 101-647, § 3565(3)(A), as amended by Pub. L. 103-322, § 330011(m)(2), substituted “section” for “subchapter” after “forfeited under this” in two places in concluding provisions.

Subsec. (f)(1). Pub. L. 101-647, § 3565(3)(B), substituted “under section 616 of the Tariff Act of 1930” for “pursuant to section 1616 of title 19”.

Subsec. (f)(2). Pub. L. 101-647, § 2003, inserted “, by public sale or any other commercially feasible means,” after “sell”.

1988—Pub. L. 100-690 amended section generally, substituting subssecs. (a) to (i) for former subssecs. (a) to (d).

1986—Pub. L. 99-500 and Pub. L. 99-591 amended section identically, inserting “, and any property, real or personal, tangible or intangible, which was used or intended to be used, in any manner or part, to facilitate a violation of this chapter” in subsec. (a)(1), substituting “Attorney General or the Postal Service” for “Attorney General” in subsec. (b), and adding subssecs. (c) and (d).

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-185 applicable to any forfeiture proceeding commenced on or after the date that is 120 days after Apr. 25, 2000, see section 21 of Pub. L. 106-185, set out as a note under section 1324 of Title 8, Aliens and Nationality.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-322, title XXXIII, § 330011(m), Sept. 13, 1994, 108 Stat. 2145, provided that the amendment made by that section is effective as of Nov. 29, 1990.

§ 2255. Civil remedy for personal injuries

(a) IN GENERAL.—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains and the cost of the suit, including a reasonable attorney’s fee. Any person as described in the preceding sentence shall be deemed to have sustained damages of no less than \$150,000 in value.

(b) STATUTE OF LIMITATIONS.—Any action commenced under this section shall be barred unless the complaint is filed within 10 years after the right of action first accrues or in the case of a person under a legal disability, not later than three years after the disability.

(Added Pub. L. 99-500, § 101(b) [title VII, § 703(a)], Oct. 18, 1986, 100 Stat. 1783-39, 1783-74, and Pub. L. 99-591, § 101(b) [title VII, § 703(a)], Oct. 30, 1986, 100 Stat. 3341-39, 3341-74; amended Pub. L. 105-314, title VI, § 605, Oct. 30, 1998, 112 Stat. 2984; Pub. L. 109-248, title VII, § 707(b), (c), July 27, 2006, 120 Stat. 650; Pub. L. 113-4, title XII, § 1212(a), Mar. 7, 2013, 127 Stat. 143.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

PRIOR PROVISIONS

A prior section 2255 was renumbered section 2256 of this title.

AMENDMENTS

2013—Subsec. (a). Pub. L. 113-4, § 1212(a)(1), substituted “section 1589, 1590, 1591, 2241(c)” for “section 2241(c)”.

Subsec. (b). Pub. L. 113-4, § 1212(a)(2), substituted “10 years” for “six years”.

2006—Subsec. (a). Pub. L. 109-248, § 707(b), inserted heading, inserted “, regardless of whether the injury occurred while such person was a minor,” after “such violation”, and substituted “Any person who, while a minor, was” for “Any minor who is”, “such person” for “such minor”, “Any person as described” for “Any minor as described”, and “\$150,000” for “\$50,000”.

Subsec. (b). Pub. L. 109-248, § 707(c), inserted heading.

1998—Subsec. (a). Pub. L. 105-314 substituted “2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423” for “2251 or 2252”.

§ 2256. Definitions for chapter

For the purposes of this chapter, the term—

(1) “minor” means any person under the age of eighteen years;

(2)(A) Except as provided in subparagraph (B), “sexually explicit conduct” means actual or simulated—

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

(ii) bestiality;

(iii) masturbation;

(iv) sadistic or masochistic abuse; or

(v) lascivious exhibition of the genitals or pubic area of any person;

(B) For purposes of subsection 8(B)¹ of this section, “sexually explicit conduct” means—

(i) graphic sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex, or lascivious simulated sexual intercourse where the genitals, breast, or pubic area of any person is exhibited;

(ii) graphic or lascivious simulated;

(I) bestiality;

(II) masturbation; or

(III) sadistic or masochistic abuse; or

(iii) graphic or simulated lascivious exhibition of the genitals or pubic area of any person;

(3) “producing” means producing, directing, manufacturing, issuing, publishing, or advertising;

(4) “organization” means a person other than an individual;

(5) “visual depiction” includes undeveloped film and videotape, data stored on computer disk or by electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format;

(6) “computer” has the meaning given that term in section 1030 of this title;

¹ So in original. Probably should be “(8)(B)”.