

proceedings in cases in which the defendant is convicted on or after the date of enactment of this Act [Apr. 24, 1996].”

**CHAPTER 109B—SEX OFFENDER AND CRIMES AGAINST CHILDREN REGISTRY**

Sec.  
2250. Failure to register.

**§ 2250. Failure to register**

- (a) IN GENERAL.—Whoever—
  - (1) is required to register under the Sex Offender Registration and Notification Act;
  - (2)(A) is a sex offender as defined for the purposes of the Sex Offender Registration and Notification Act by reason of a conviction under Federal law (including the Uniform Code of Military Justice), the law of the District of Columbia, Indian tribal law, or the law of any territory or possession of the United States; or
  - (B) travels in interstate or foreign commerce, or enters or leaves, or resides in, Indian country; and
  - (3) knowingly fails to register or update a registration as required by the Sex Offender Registration and Notification Act;

shall be fined under this title or imprisoned not more than 10 years, or both.

(b) AFFIRMATIVE DEFENSE.—In a prosecution for a violation under subsection (a), it is an affirmative defense that—

- (1) uncontrollable circumstances prevented the individual from complying;
- (2) the individual did not contribute to the creation of such circumstances in reckless disregard of the requirement to comply; and
- (3) the individual complied as soon as such circumstances ceased to exist.

(c) CRIME OF VIOLENCE.—

(1) IN GENERAL.—An individual described in subsection (a) who commits a crime of violence under Federal law (including the Uniform Code of Military Justice), the law of the District of Columbia, Indian tribal law, or the law of any territory or possession of the United States shall be imprisoned for not less than 5 years and not more than 30 years.

(2) ADDITIONAL PUNISHMENT.—The punishment provided in paragraph (1) shall be in addition and consecutive to the punishment provided for the violation described in subsection (a).

(Added Pub. L. 109–248, title I, §141(a)(1), July 27, 2006, 120 Stat. 602.)

REFERENCES IN TEXT

The Sex Offender Registration and Notification Act, referred to in subsec. (a)(1), (2)(A), (3), is title I of Pub. L. 109–248, July 27, 2006, 120 Stat. 590, which is classified principally to subchapter I (§16901 et seq.) of chapter 151 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 16901 of Title 42 and Tables.

The Uniform Code of Military Justice, referred to in subsecs. (a)(2)(A) and (c)(1), is classified generally to chapter 47 (§801 et seq.) of Title 10, Armed Forces.

**CHAPTER 110—SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN**

Sec.  
2251. Sexual exploitation of children.

- Sec.  
2251A. Selling or buying of children.
- 2252. Certain activities relating to material involving the sexual exploitation of minors.
- 2252A. Certain activities relating to material constituting or containing child pornography.
- 2252B. Misleading domain names on the Internet.
- 2252C. Misleading words or digital images on the Internet.
- 2253. Criminal forfeiture.
- 2254. Civil forfeiture.
- 2255. Civil remedy for personal injuries.
- 2256. Definitions for chapter.
- 2257. Record keeping requirements.
- 2257A. Recordkeeping requirements for simulated sexual conduct.<sup>1</sup>
- 2258. Failure to report child abuse.
- 2258A. Reporting requirements of electronic communication service providers and remote computing service providers.
- 2258B. Limited liability for electronic communication service providers and remote computing service providers.<sup>1</sup>
- 2258C. Use to combat child pornography of technical elements relating to images reported to the CyberTipline.
- 2258D. Limited liability for the National Center for Missing and Exploited Children.
- 2258E. Definitions.
- 2259. Mandatory restitution.
- 2260. Production of sexually explicit depictions of a minor for importation into the United States.
- 2260A. Increased penalties for registered sex offenders.<sup>1</sup>

AMENDMENTS

2008—Pub. L. 110–401, title V, §501(b)(3), Oct. 13, 2008, 122 Stat. 4251, added items 2258A to 2258E.

2006—Pub. L. 109–248, title V, §503(b), title VII, §§702(b), 703(b), July 27, 2006, 120 Stat. 629, 648, 649, added items 2252C, 2257A, and 2260A.

2003—Pub. L. 108–21, title V, §521(b), Apr. 30, 2003, 117 Stat. 686, added item 2252B.

1996—Pub. L. 104–294, title VI, §601(i)(2), Oct. 11, 1996, 110 Stat. 3501, redesignated item 2258, relating to production of sexually explicit depictions of a minor, as 2260.

Pub. L. 104–208, div. A, title I, §101(a) [title I, §121[3(b)]], Sept. 30, 1996, 110 Stat. 3009, 3009–26, 3009–30, added item 2252A.

1994—Pub. L. 103–322, title IV, §40113(b)(2), title XVI, §160001(b)(1), Sept. 13, 1994, 108 Stat. 1910, 2037, added items 2258, relating to production of sexually explicit depictions of a minor, and 2259.

1990—Pub. L. 101–647, title II, §226(g)(2), Nov. 29, 1990, 104 Stat. 4808, inserted “AND OTHER ABUSE” after “EXPLOITATION” in chapter heading and added item 2258.

1988—Pub. L. 100–690, title VII, §§7512(c), 7513(b), Nov. 18, 1988, 102 Stat. 4487, 4488, added items 2251A and 2257.

1986—Pub. L. 99–500, §101(b), [title VII, §703(b)], Oct. 18, 1986, 100 Stat. 1783–39, 1783–75, and Pub. L. 99–591, §101(b) [title VII, §703(b)], Oct. 30, 1986, 100 Stat. 3341–39, 3341–75, added item 2255 and redesignated former item 2255 as 2256.

1984—Pub. L. 98–292, §7, May 21, 1984, 98 Stat. 206, added items 2253 and 2254 and redesignated former item 2253 as 2255.

**§ 2251. Sexual exploitation of children**

(a) Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in

<sup>1</sup> So in original. Does not conform to section catchline.