

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2163

Introduced by

Senator J. Lee

1 A BILL for an Act to amend and reenact section 12.1-20-05.1 of the North Dakota Century
2 Code, relating to the penalty for luring a minor by computer.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12.1-20-05.1 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **12.1-20-05.1. Luring minors by computer.** An adult is guilty of luring minors by
7 computer when:

- 8 1. The adult knows the character and content of a communication that, in whole or in
9 part, implicitly or explicitly discusses or depicts actual or simulated nudity, sexual
10 acts, sexual contact, sadomasochistic abuse, or other sexual performances and
11 uses any computer communication system that allows the input, output,
12 examination, or transfer of computer data or computer programs from one
13 computer to another to initiate or engage in such communication with a person the
14 adult believes to be a minor; and
- 15 2. By means of that communication the adult importunes, invites, or induces a person
16 the adult believes to be a minor to engage in sexual acts or to have sexual contact
17 with the adult, or to engage in a sexual performance, obscene sexual performance,
18 or sexual conduct for the adult's benefit, satisfaction, lust, passions, or sexual
19 desires.
- 20 3. A violation of this section is a class A misdemeanor, but if the adult is twenty-two
21 years of age or older or ~~the adult reasonably believes~~ the minor is under the age of
22 fifteen, a violation of this section is a class C felony.