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SENATE BILL 6301

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State of Washington                      60th Legislature                      2008 Regular Session

By Senators Oemig, Marr, Kauffman, and Rasmussen

Read first time 01/14/08. Referred to Committee on Judiciary.

1            AN ACT Relating to preventing conduct that is intended to provide  
2 a person the information necessary to commit a pedophilic act; adding  
3 a new section to chapter 9A.44 RCW; creating a new section; and  
4 prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** (1) The legislature finds:

7            (a) The sexual abuse of a child is a most serious crime and an act  
8 repugnant to moral instincts;

9            (b) A pedophile is a person who has fantasies, urges, or behaviors  
10 that involve sexual activity with a child, generally under thirteen  
11 years of age; and

12            (c) When a person acts on a pedophilic urge, he or she has  
13 committed a criminal act against the most vulnerable segment of our  
14 society, children. Pedophiles have a high rate of recidivism, that is,  
15 they tend to repeat their acts often over time. The main method for  
16 preventing pedophilia is avoiding situations that may promote  
17 pedophilic acts.

18            (2) It is the intent of the legislature to criminalize conduct that

1 is intended to provide a person the information necessary to commit a  
2 pedophilic act.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.44 RCW  
4 to read as follows:

5 (1) Every person, other than an internet service provider, who  
6 knowingly publishes information, including via the internet, relating  
7 to the location of children or a place where children regularly gather,  
8 or the specific time and location in which a particular child may be  
9 found, for the purpose of arousing or gratifying the sexual desire of  
10 any person, is guilty of a gross misdemeanor.

11 (2) If a person is convicted of a violation of this section, the  
12 court may order:

13 (a) The removal of any information relating to the location of a  
14 child, and the destruction or removal of any photograph, motion picture  
15 film, digital image, videotape, or any other recording of an image that  
16 was made by the person and posted on the internet in connection  
17 therewith; and

18 (b) An internet service provider to permanently remove from its  
19 server any web page containing information relating to the location of  
20 a child, and any photograph, motion picture film, digital image,  
21 videotape, or any other recording of an image of the child.

22 (3) Nothing in this section shall prevent a parent or guardian of  
23 a child who believes that a web page may be in violation of this  
24 section from seeking an ex parte court order for permanent injunctive  
25 relief to remove that web page.

26 (4) For the purposes of this section, "child" means any person  
27 under thirteen years of age.

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