

2.1 Subd. 2a. **Internet or computer solicitation of children.** A person 18 years of age
2.2 or older who uses the Internet or a computer, computer program, computer network, or
2.3 computer system to communicate with a child or someone the person reasonably believes
2.4 is a child, with the intent to arouse or gratify the sexual desire of any person, is guilty of a
2.5 felony if any of the following circumstances exist:

2.6 (a) the actor solicits a child or someone the actor reasonably believes is a child to
2.7 engage in sexual conduct;

2.8 (b) the actor communicates in a sexually explicit manner with a child or someone
2.9 the actor reasonably believes is a child; or

2.10 (c) the actor distributes sexually explicit material to a child or someone the actor
2.11 reasonably believes is a child.

2.12 Subd. 2b. **Jurisdiction.** A person may be convicted of an offense under subdivision
2.13 2a if the transmission that constitutes the offense either originates within this state or is
2.14 received within this state.

2.15 Subd. 3. **Defenses.** (a) Mistake as to age is not a defense to a prosecution under
2.16 ~~this section~~ subdivision 2. Mistake as to age is an affirmative defense to a prosecution
2.17 under subdivision 2a.

2.18 (b) The fact that an undercover operative or law enforcement officer was involved
2.19 in the detection or investigation of an offense under this section does not constitute a
2.20 defense to a prosecution under this section.

2.21 Subd. 4. **Penalty.** A person convicted under subdivision 2 or 2a is guilty of a felony
2.22 and may be sentenced to imprisonment for not more than three years, or to payment of
2.23 a fine of not more than \$5,000, or both.

2.24 **EFFECTIVE DATE.** This section is effective August 1, 2007, and applies to crimes
2.25 committed on or after that date.