

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 666

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO MINORS; AMENDING SECTION 18-1517, IDAHO CODE, TO REMOVE A PRO-
2 VISION REGARDING AN AFFIRMATIVE DEFENSE AND TO MAKE TECHNICAL CORREC-
3 TIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 18-1517, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 18-1517. DISSEMINATING MATERIAL HARMFUL TO MINORS -- DEFENSES. ~~1.~~ In
9 any prosecution for disseminating material harmful to minors, it is an af-
10 firmative defense that:

11 (a~~1~~) The defendant had reasonable cause to believe that the minor in-
12 volved was eighteen (18) years ~~old of age~~ or ~~more older~~, or such minor exhib-
13 ited to the defendant a draft card, driver's license, birth certificate, or
14 other official or apparently official document purporting to establish that
15 the minor was eighteen (18) years of age or older-;

16 (b~~2~~) The minor involved was accompanied by his parent or legal
17 guardian, or by an adult and the adult represented that he was the minor's
18 parent or guardian or an adult and signed a written statement to that ef-
19 fect-; or

20 (c~~3~~) The defendant was the parent or guardian of the minor involved.

21 ~~(d) The defendant was a bona fide school, college, university, museum~~
22 ~~or public library, or was acting in his capacity as an employee of such~~
23 ~~an organization or a retail outlet affiliated with and serving the edu-~~
24 ~~cational purposes of such an organization.~~

25 SECTION 2. An emergency existing therefor, which emergency is hereby
26 declared to exist, this act shall be in full force and effect on and after
27 July 1, 2022.