

419A.

(A) IN THIS SECTION "MINOR" MEANS AN INDIVIDUAL UNDER 18 YEARS OF AGE.

(a) (B) Every person who solicits, causes, induces, or knowingly permits a ~~person under 16-18 years of age~~ MINOR to engage as a subject in the production of any obscene matter or any visual representation or performance that depicts a ~~child~~ MINOR engaged as a subject in sexual conduct as defined in § 416A(d) of this article, is subject to the penalty provided in subsection (d) (E) of this section.

(b) (C) Every person who photographs or films a ~~person under 16-18 years of age~~ MINOR engaging in an obscene act or engaging in sexual conduct as defined in § 416A of this article is subject to the penalty provided in subsection (d) (E) of this section.

(c) (D) Every person who knowingly promotes, distributes, or possesses with intent to distribute any matter or other visual representation or performance that depicts a ~~child~~ MINOR engaged as a subject in sexual conduct, as defined in § 416A of this article, is subject to the penalty provided in subsection (d) (E) of this section.

(d) (E) (1) Every person who violates the provisions of this section is guilty of a felony and upon conviction shall be fined not more than \$25,000 or imprisoned for 10 years, or both in the discretion of the court.

(2) A PERSON WHO IS CONVICTED OF A SUBSEQUENT VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$50,000 OR IMPRISONMENT NOT EXCEEDING 20 YEARS, OR BOTH IN THE DISCRETION OF THE COURT. SENTENCES--IMPOSED PURSUANT TO THIS SECTION SHALL RUN CONSECUTIVELY WITH AND SHALL COMMENCE AT THE EXPIRATION OF ANY OTHER SENTENCE BEING SERVED BY THE PERSON SENTENCED.

(3) A MISTAKE OF AGE IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SECTION.

(e) (F) (1) In any action brought under this section, where the ~~child's~~ MINOR'S identity is unknown or where the ~~child~~ MINOR is outside the jurisdiction, the State's Attorney is not required to identify or produce testimony from the ~~child~~ MINOR who is depicted in the obscene matter or in any visual representation or performance that depicts the ~~child~~ MINOR engaged as a subject in sexual conduct as defined in § 416A of this article.

(2) The court or jury may determine whether a ~~child~~ AN INDIVIDUAL who is depicted in any obscene matter, or any visual representation or performance as the subject in sexual