

18 USC 2259A: Assessments in child pornography cases

Text contains those laws in effect on July 19, 2020

From Title 18-CRIMES AND CRIMINAL PROCEDURE

PART I-CRIMES

CHAPTER 110-SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN

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§2259A. Assessments in child pornography cases

(a) **IN GENERAL.**-In addition to any other criminal penalty, restitution, or special assessment authorized by law, the court shall assess-

- (1) not more than \$17,000 on any person convicted of an offense under section **2252(a)(4)** or **2252A(a)(5)**;
 - (2) not more than \$35,000 on any person convicted of any other offense for trafficking in child pornography;
- and
- (3) not more than \$50,000 on any person convicted of a child pornography production offense.

(b) **ANNUAL ADJUSTMENT.**-The dollar amounts in subsection (a) shall be adjusted annually in conformity with the Consumer Price Index.

(c) **FACTORS CONSIDERED.**-In determining the amount of the assessment under subsection (a), the court shall consider the factors set forth in sections 3553(a) and 3572.

(d) **IMPOSITION AND IMPLEMENTATION.**-

(1) **IN GENERAL.**-The provisions of subchapter C of chapter 227 (other than section 3571) and subchapter B of chapter 229 (relating to fines) apply to assessments under this section, except that paragraph (2) applies in lieu of any contrary provisions of law relating to fines or disbursement of money received from a defendant.

(2) **EFFECT ON OTHER PENALTIES.**-Imposition of an assessment under this section does not relieve a defendant of, or entitle a defendant to reduce the amount of any other penalty by the amount of the assessment. Any money received from a defendant shall be disbursed so that each of the following obligations is paid in full in the following sequence:

- (A) A special assessment under section 3013.
- (B) Restitution to victims of any child pornography production or trafficking offense that the defendant committed.
- (C) An assessment under this section.
- (D) Other orders under any other section of this title.
- (E) All other fines, penalties, costs, and other payments required under the sentence.

(Added Pub. L. 115–299, §5(a), Dec. 7, 2018, 132 Stat. 4386 .)