

FINES/FEES FOR OFFENSES INVOLVING MINORS (Excluding Direct Sexual Acts ¹)					
Authorizing Statute	Applies To	Amount	Ability to Pay Provision?	Fine Mandatory?	Original Effective Date / Most Recent Amendment
Pen. Code, § 266 (enticing prostitution)	Convictions for enticing or aiding and abetting the enticing of a person under age 18 for purposes of prostitution.	≤ \$2,000	No	No	1976/1983
Pen. Code, § 266j (procuring for lewd & lascivious acts)	Convictions for procuring, offering to procure, or persuading child under age 16 for lewd / lascivious acts.	≤ \$15,000	No	Yes	1976/1987
Pen. Code, § 272, subd. (a)(1) (contributing to delinquency of a minor)	Convictions for contributing to delinquency of persons under 18 years.	≤ \$2,500	No	No	1976/1983
Pen. Code, § 294, subd. (a) (specified code sections)	Convictions for violating any of Pen. Code, §§ 273a, 273d, 311.2, or 311.3.	<ul style="list-style-type: none"> • Misdemeanor: ≤ \$1,000 • Felony: ≤ \$5,000 Discretionarily subject to Pen. Code, § 294, subd. (d). ²	Yes	No	1994

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Pen. Code, § 308, subd. (a) (selling/providing tobacco products)	Convictions for selling or furnishing tobacco products or smoking paraphernalia to persons under age 21 years.	<u>1st offense</u> : \$200 <u>2nd offense</u> : \$500 <u>3rd offense</u> : \$1,000	No	Yes	1891/1989
Pen. Code, § 308, subd. (b) (failure to post required signage)	Convictions for failure to post signage at point of tobacco purchase, as required by Bus. & Prof. Code, § 22952, subd. (b)	<u>1st offense</u> : \$50 <u>2nd offense</u> : \$100 <u>3rd offense</u> : \$250 <u>4th+ offense</u> : \$500	No	No	1980/2016 ³
Pen. Code, § 311.1, subd. (a) (transporting into California child pornography)	Convictions for sending or bringing into California for sale or distribution or possessing, etc., any obscene matter depicting a person under age 18 personally engaging in or simulating sexual conduct.	<ul style="list-style-type: none"> Misdemeanor: ≤ \$1,000 Felony: ≤ \$10,000 	No	No	1995

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<p>Pen. Code, § 311.2, subd. (b)</p> <p>(transporting into California child pornography for sale)</p>	<p>Convictions for sending into, bringing into, or possessing in California for sale or distribution any obscene matter depicting a person under age 18 with intent to distribute to others for commercial consideration.</p>	<p>≤ \$100,000</p>	<p>Yes</p>	<p>No</p>	<p>1977/1985</p>
<p>Pen. Code, § 311.2, subd. (c)</p> <p>(transporting into California child pornography for sale to a minor)</p>	<p>Convictions for sending into, bringing into, or possessing in California for sale or distribution any obscene matter depicting a person under age 18 with intent to distribute to a person age 18 or older.</p>	<p>≤ \$2,000</p>	<p>No</p>	<p>No</p>	<p>1961/1975</p>
<p>Pen. Code, § 311.3, subds. (d)</p> <p>(child exploitation)</p>	<p>Convictions for sexual exploitation of a child.</p>	<p>≤ \$2,000</p>	<p>No</p>	<p>No</p>	<p>1982</p>

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<p>Pen. Code, § 311.4, subd. (a)</p> <p>(engaging minor to do prohibited acts)</p>	<p>Convictions for employing or using a minor to perform prohibited acts.</p>	<p>First conviction: ≤ \$2,000 Subsequent convictions: \$50,000</p>	<p>No</p>	<p>No</p>	<p>1961/2006 (first) 1961/1988 (sub.)</p>
<p>Pen. Code, § 311.10</p> <p>(advertising child pornography)</p>	<p>Convictions for advertising for sale or distribution obscene matter depicting a person under age of 18 engaging in or simulating sexual conduct.</p>	<p>≤ \$50,000</p>	<p>No</p>	<p>No</p>	<p>1986</p>
<p>Pen. Code, § 311.11, subd. (a)</p> <p>(possessing child pornography)</p>	<p>Convictions for possessing or controlling matter depicting minor engaging in or simulating sexual conduct.</p>	<p>≤ \$2,500</p>	<p>No</p>	<p>No</p>	<p>1990</p>

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<p>Pen. Code, § 311.11, subd. (c)</p> <p>(possessing child pornography, with additional facts)</p>	<p>Convictions for subd. (a) with additional facts (either depicting prepubescent minor/minor under 12 years or depicting sexual sadism or sexual masochism involving person under 18 years).</p>	<p>≤ \$2,500</p>	<p>No</p>	<p>No</p>	<p>1989/2014</p>
<p>Pen. Code, § 311.12, subds. (a)(1) & (a)(2)</p> <p>(convictions for enumerated code sections where government computer used)</p>	<p>Convictions for Pen. Code §§ 311.1, 311.2, 311.3, 311.10, or 311.11, which involve depicting person under age 18 engaging in or simulating sexual conduct, where violation committed on, or via, government-owned computer or computer network.</p>	<p>≤ \$2,000⁴</p>	<p>Yes</p>	<p>Yes</p>	<p>2013</p>

¹ For offenses involving a direct sexual act upon or involving a minor see: Fines/Fees for Sex Offenses.

² “If the court orders a fine to be imposed pursuant to this section, the actual administrative cost of collecting that fine, not to exceed 2 percent of the total amount paid, may be paid into the general fund of the county treasury for the use and benefit of the county.” (Pen. Code, § 294, subd. (d).)

³ Former subdivision (c) renumbered to subdivision (b).

⁴ “The fines in subdivision (a) shall not be subject to the provisions of Sections 70372, 76000, 76000.5, and 76104.6 of the Government Code, or Sections 1464 and 1465.7 of [the Penal] [C]ode.” (Pen. Code, § 311.12, subd. (b).)