§ 2253. Criminal forfeiture

(a) Property Subject to Criminal Forfeiture.— A person who is convicted of an offense under this chapter involving a visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter or who is convicted of an offense under section 2252B of this chapter, or who is convicted of an offense under chapter 109A, shall forfeit to the United States such person’s interest in—

(1) any visual depiction described in section 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

(b) Section 413 of the Controlled Substances Act (21 U.S.C. 853) with the exception of subsections (a) and (d), applies to the criminal forfeiture of property pursuant to subsection (a).

Footnotes

1 So in original. The extra comma probably should follow “2260 of this chapter”.
2 So in original. Probably should be “2251A, 2252,”.


Prior Provisions

A prior section 2253 was redesignated section 2256 of this title.

Amendments

2006—Subsec. (a). Pub. L. 109–248, § 505(b)(1), inserted “or who is convicted of an offense under section 2252B of this chapter,” after “2260 of this chapter” and substituted “an offense under chapter 109A” for “an offense under section 2421, 2422, or 2423 of chapter 117” in introductory provisions.


Subsec. (a)(3). Pub. L. 109–248, § 505(b)(3), inserted “or any property traceable to such property” before period at end.

Subsecs. (b) to (o). Pub. L. 109–248, § 505(c), added subsec. (b) and struck out former subsecs. (b) to (o) which related, respectively, to third party transfers, protective orders, warrant of seizure, order of forfeiture, execution of order, disposition of property, authority of Attorney General, applicability of civil forfeiture provisions, bar on intervention, jurisdiction to enter orders, depositions, third party interests, construction of section, and substitute assets.

1998—Subsec. (a). Pub. L. 105–314 substituted “2252, 2252A, or 2260 of this chapter, or who is convicted of an offense under section 2421, 2422, or 2423 of chapter 117,” for “or 2252 of this chapter”.


1988—Pub. L. 100–690 amended section generally, substituting subsecs. (a) to (o) for former subsecs. (a) to (d).

**Effective Date of 1994 Amendment**

Section 330011(m) of Pub. L. 103–322 provided that the amendment made by that section is effective as of Nov. 29, 1990.