

HB1120_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB20-1120 be amended as follows:

- 1 Amend printed bill, page 2, line 3, strike "(2)(e), (3)(b), (3)(b.5), and
2 (3)(d); and add (2)(f.5), (2)(i.5)," and substitute "(2)(e), (2)(j), (3)(b),
3 (3)(b.5), (3)(d), and (5)(b); and add (2)(i.5)".
- 4 Page 2, strike lines 11 through 16.
- 5 Page 3, strike lines 1 through 5.
- 6 Page 3, line 6, strike "A REAL OR SIMULATED" and substitute "AN".
- 7 Page 3, after line 11 insert:
8 "(j) "Sexually exploitative material" means any photograph,
9 motion picture, video, recording or broadcast of moving visual images,
10 LIVESTREAM, print, negative, slide, or other mechanically, electronically,
11 chemically, or digitally reproduced visual material that depicts a child
12 engaged in, participating in, observing, or being used for explicit sexual
13 conduct."
- 14 Page 3, line 17, strike "TRANSPORTS, TRANSFERS, OR RECEIVES," and
15 substitute "TRANSPORTS OR TRANSFERS TO ANOTHER PERSON, OR MAKES
16 ACCESSIBLE TO ANOTHER PERSON,".
- 17 Page 3, line 20, strike "ACCESSES," and substitute "ACCESSES WITH
18 INTENT TO VIEW,".
- 19 Page 4, line 3, after "ACCESSES" insert "WITH INTENT TO VIEW".
- 20 Page 4, line 4, strike "CHILD." and substitute "CHILD IF THE CONDUCT IN
21 THE PERFORMANCE WAS CAUSED, INDUCED, ENTICED, REQUESTED,
22 DIRECTED, OR SPECIFIED BY THE VIEWER OR POTENTIAL VIEWER.".
- 23 Page 4, after line 4 insert:
24 "(5) (b) Sexual exploitation of a child by possession of sexually
25 ~~exploitative material~~ pursuant to ~~paragraph (b.5) of subsection (3)~~
26 ~~SUBSECTION (3)(b.5)~~ of this section is a class 5 felony; except that said
27 offense is a class 4 felony if:
28 (I) It is a second or subsequent offense; or
29 (II) The possession is of a video, recording or broadcast of
30 moving visual images, or motion picture. ~~or more than twenty different~~
31 ~~items qualifying as sexually exploitative material."~~

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