

when he's talking about a 13-year old, or a 12-year old, or a 14-year old. This also is very important, senators. The federal government has just now raised the age to 18, under 18. So it is not just this bill but the federal government says, let's classify anybody under 18 and not 16. So the federal government is now also concerned about these legal loopholes that are being used by trial attorneys. Thank you. I would urge the adoption of this amendment, though I do expect some discussion on it.

SPEAKER NICHOL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker, and colleagues, this is a big amendment. The other two were not particularly important, well, they were and they weren't, I guess, depending on how you view this area. This one is very important because this would raise the age from under 16 to under 18. Now Senator Higgins is only, in her comments, focusing on one relatively small part of what this act does. Let me indicate, if I can, the breadth of the act so you can fully appreciate not only what the act does but what it is going to do if it is currently amended. It makes a felony now, a 25-year felony, for purchasing a photograph that displays erotic nudity. Erotic nudity is defined as the display of human female breasts. Now it also makes illegal not just having a child, under the definition of the Child Pornography Prevention Act, the subject but also having a child a portrayed observer of erotic nudity. So the sum total of Senator Higgins' amendment, if this one is adopted, is that you could have a boy who is 17 years old in a movie, looking with a telescope through a sorority house window across the street, you know, this stuff is the subject of current movies, as many of you know, watching an adult woman 35 years old undress from the waist up, and the manufacturers of that movie would be chargeable with a 25-year felony. Another way of looking at it, if this amendment is adopted, then this would make the purchase of a single photograph of a 17-year old female, naked from the waist up, a 25-year felony. Now maybe that is good public policy, maybe it is not. I can tell you it is a substantial deviation from current community practices and standards. Let me remind you again that this act applies not only to the subjects but to portrayed observers. So if you have, as many current movies do, if you have teenagers, 16, 17 years old, young individuals in a fraternity house that are doing their peeping Tom sort of charades against adult women who