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March 23, 2004 LB 874, 875, 943

or intimate parts on any part of the child's body. LB 874 was advanced by your Judiciary Committee on a vote of...a unanimous vote; two people were absent, however. Section 5 of the amendment is otherwise denominated LB 875. It was also introduced by Senator Mossey. This bill requires individuals convicted of knowingly possessing a visual depiction of sexually explicit conduct which has a child as one of its participants or portrayed observers to regis...or portrayed...requires observers to register as a sex offender pursuant to the Sex Offender Registration Act. The committee amendment to LB 875 incorporated into this amendment to LB 943 increases the penalty for the crime of possessing child pornography with the intent to distribute from a Class IV to a Class IIIA felony. Currently, the crimes of possession of child pornography and possession of child pornography with the intent to distribute are both punishable as Class IV felonies. There, obviously, needs to be a gradation and increase in the level of punishment. LB 875 was advanced, as amended, unanimously. I would urge the adoption of the committee amendment. I thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the opening on the committee amendments to LB 943. Open for discussion on those amendments. Senator Mossey, followed by Senator Thompson and Senator Beutler. Senator Mossey.

SENATOR MOSSEY: Thank you, Mr. President and members of the Legislature. I just wanted to, first of all, thank Senator Brashear and his staff for the work on this bill. This is a tremendous bill in what it will do encompassing sexual predators and our children. The first bill, possessing child pornography and requiring them to register as a sex offender, currently 40 states have that in statute where if you're possessing that you have to register as sex offender, so we're not charting into uncharted territory there. The second section, what brought that to my attention was there was a case in Omaha where there was a four-year-old girl that had genital warts on her stomach. Now her uncle had genital warts and he also had been convicted of sexually assaulting her brother, but under the current scenario, the girl with genital warts on her stomach and the uncle with genital warts, the most you can go on is sexual misconduct unless he were to admit to sexually assaulting that