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LB 1199

SENATOR BOURNE: Thank you, Mr. President, members. AM3082 is a clean-up of some of the...or, excuse me, a response to some of the questions or the questions that we had on General File. I want to kind of go back to what the bill does, the underlying bill does. It does about six specific things: creates the new crimes of first-degree sexual assault of a child, second-degree sexual assault of a child, third-degree sexual assault of a child, and raises the penalties for those crimes. It also tightens the language in the Sex Offender Registration Act and provides mandatory penalties for failure to register. It creates the Sex Offender Registration Act and provides a new standard by which dangerous sex offenders can be civilly committed after serving their prison sentence. It allows for lifetime supervision of sex offenders who have committed more than one sex offense, have raped a child under 12, or forcibly raped any individual. It provides what I would call common-sense guidelines for municipalities that elect to adopt residency restrictions. And it creates a working group to provide the Legislature with recommendations regarding the credentialing and training of sex offender treatment professionals. That is what the underlying bill does in a nutshell. Some of the questions we had during the debate, particularly from Senator Beutler and Senator Byars, and of course some other individuals were involved, they raised some legitimate questions regarding the bill. I appreciate their input. Those concerns raised on General File are addressed in AM3082. I'm going to go through what the questions were and then tell you what the solution was and that is incorporated within this amendment. There was a concern expressed that under the bill as drafted, the lifetime supervision provision could be optional and not mandatory. That language was found on page 101, line 8, line 12 of the committee amendment. As a solution, we amended that language to clarify the intent. The committee amendment read that a person "shall...be subject to community supervision." That language was changed to read that a person "shall...be supervised in the community." If you want to look at that change, it's found on page 103, lines 7 through 10 in this amendment. And in line 12 of the committee amendment, the language read, quote, an individual subject to the community supervision, end quote. This language is changed