

February 2, 1996 LB 645

SENATOR CHAMBERS: Now when we say the visual depiction of sexually explicit conduct of a child, that's child pornography. It's a depiction, not engaging in it. That makes a person a violent sexual offender and would have to register, is that correct?

SENATOR ABOUD: Could you repeat that question. I was looking at the...

SENATOR CHAMBERS: Oh, okay. In line 26, where it talks about the visual depiction of sexually explicit conduct of a child pursuant to these sections.

SENATOR ABOUD: Yes.

SENATOR CHAMBERS: So this is not sexual conduct by the person, but the depiction of that, of this sexual conduct of children, and that makes that person a violently, a violent sexual offender.

SENATOR ABOUD: No, it's not, they're not considered a violent sexual offender under that, under that section. They'd be considered a sex offender.

SENATOR CHAMBERS: So what is this language being added for? And that's why I was telling you I'm flying by the seat of my pants, I need some assistance from you.

SENATOR ABOUD: Sure, no, this deals with the sex offender language. None of the...the issue of violent sex offenders goes only to that section...

SENATOR CROSBY: One minute.

SENATOR ABOUD: ...Section 5. And that would, they would have to go...go over the additional hurdle of having a judge view that person under those criteria that we, that I talked with Senator Beutler about. So there's additional hurdle for the sexually violent offender. First you have the sex offender, then you have the sexually violent sex offender.

SENATOR CHAMBERS: And what, the language I'm referring to then, you're telling me has...