

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 13, 2004 LB 611

consider this further. Maybe Senator Brashear would care to comment.

SENATOR BRASHEAR: Well, Senator Foley, it is the focus upon a relationship of intimacy, and the law does not consider a father-son relationship...

SENATOR CUDABACK: One minute.

SENATOR BRASHEAR: ...to be an intimate relationship. That's a term of art. We're talking about people...we're talking about spouses, husband and wife, we're talking about two individuals who have a loving, intimate,...

SENATOR FOLEY: Right.

SENATOR BRASHEAR: ...ergo sexual relationship, cohabitation, those kinds of things. And no, it's not required to occur in the home.

SENATOR FOLEY: And Senator...

SENATOR BRASHEAR: It's...the focus is upon the relationship, not upon the place.

SENATOR FOLEY: Correct. Correct.

SENATOR BRASHEAR: And the act within the relationship, because of the relationship, as a part of the relationship.

SENATOR FOLEY: You used the word "cohabitation." I don't think this language requires that the two parties in question, the assailant and the victim, would necessarily be living in the same home.

SENATOR BRASHEAR: Does not.

SENATOR FOLEY: Correct. I mean, it could have occurred anywhere. Could have...

SENATOR BRASHEAR: That's correct.