

buy this type of movie or rent it? I can't and I can't imagine anybody that would want to make it legal to purchase or rent it. So, on behalf of your children, your grandchildren, not mine, I'm asking you to adopt this amendment that makes it illegal to purchase or rent movies or pictures that have children in sexually explicit acts, nothing to do with adults. Thank you, colleagues.

SPEAKER NICHOL: The question is the adoption of the second Higgins amendment. All those in favor vote aye, opposed nay. A simple majority. Record, Mr. Clerk, please.

CLERK: 13 ayes, 9 nays on adoption of Senator Higgins' second amendment to the committee amendments.

SPEAKER NICHOL: The second amendment is adopted. The third one.

CLERK: Mr. President, the third Higgins amendment is on page 1544.

SPEAKER NICHOL: Senator Higgins.

SENATOR HIGGINS: Thank you, Mr. President. This is the final amendment to the committee amendments and it merely does this, in my original bill I had it that anyone under the age of 18 would be defined as a child. The committee lowered that to anyone under the age of 16. My reasons for raising it was because the county attorneys told me that very often when they go to court and it comes to prosecuting someone who has participated in child pornography, their argument is always, jeez, your honor, she looked 16 to me, he looked 16 to me, there was no way I couldn't tell he wasn't. So we have raised it from 16 to 18 so that it will be a lot more difficult to say that a 14-year old looked 18 or under 18. This does not include 18-year olds, it is up and through the age of 17. I was originally asked, by the county attorney in Douglas County, who said at the committee hearing he was also representing the County Attorneys Association, they originally wanted it to 21, and I said I don't think 21 would ever fly. But I said it makes a lot more sense to raise it to 18 and again, I am closing a loophole that the trial attorneys don't want closed. I am making it more difficult for those people who would abuse children. I am just making it more difficult for them to say, I couldn't tell she was under 16, or he was under 16,