

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	10 - 0 - 0
<b>Yeas:</b>	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	2/4, 2/25, 3/3

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**WHAT THE MEASURE DOES:** Requires a computer technician receiving compensation or processor of photographic images, whether receiving or not receiving compensation, who has reason to believe he or she has observed an image of a child involved in sexually explicit conduct, to report this fact to the CyberTipline at the National Center for Missing and Exploited Children, the Department of Human Services or law enforcement in the county where the image was observed. Requires the person to report the name and address, if known, of the person possessing the computer. Classifies the penalty as Class A misdemeanor. Absolves person from civil liability who in good faith reports an image involving a child.

**ISSUES DISCUSSED:**

- Protection if you report
- Should apply to processor of photographic images whether compensated or not
- Computer technician is not one person assisting another unless the person assisting is being compensated

**EFFECT OF COMMITTEE AMENDMENT:** Makes the bill applicable to processors of photographic images whether acting within the scope of employment or not, or compensated or not.

**BACKGROUND:** Currently, a person commits the crime of failing to report child pornography if the person, in the course of processing or producing a photograph, motion picture, videotape or other visual recording, either commercially or privately, has reasonable cause to believe that the visual recording depicts sexually explicit conduct of a child. The penalty is a Class A misdemeanor. This provision was first enacted in 1987. Since then, the technology of producing images, pictures and movies has made this provision obsolete. Very few people send their pictures to camera shops or others to have them developed.