

CLHB1163.004

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON HB09-1163

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on HB09-1163,
concerning crimes in which the victim is a child, has met and reports that
it has agreed upon the following:

That the House accede to the Senate amendments made to the bill,
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 9, strike lines 26 and 27 and substitute the
following:

"(4) IT SHALL NOT BE AN OFFENSE PURSUANT TO THIS SECTION IF:".

Page 10, line 18, strike "AFFIRMATIVE DEFENSES" and substitute
"EXCEPTIONS", and strike "OR" and substitute "AND".

Page 11, after line 1, insert the following:

"(7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPOSE
CRIMINAL OR CIVIL LIABILITY ON:

(a) A CABLE OPERATOR OR A MULTICHANNEL VIDEO
PROGRAMMING DISTRIBUTOR, AS THOSE TERMS ARE DEFINED IN 47 U.S.C.
SEC. 522;

(b) A TELECOMMUNICATIONS SERVICE, AS THAT TERM IS DEFINED
IN 47 U.S.C. SEC. 153 (46), INCLUDING ANY TELECOMMUNICATIONS
EQUIPMENT, AS THAT TERM IS DEFINED UNDER 47 U.S.C. SEC. 153 (45),

USED TO PROVIDE TELECOMMUNICATIONS SERVICE. FOR PURPOSES OF THIS SECTION, A TELECOMMUNICATIONS SERVICE INCLUDES A SERVICE THAT IS OFFERED FOR FREE TO THE GENERAL PUBLIC.

(c) A MOBILE SERVICE, AS THAT TERM IS DEFINED IN 47 CFR 20.3;
OR

(d) AN INTERACTIVE COMPUTER SERVICE, AS THAT TERM IS DEFINED IN 47 U.S.C. SEC. 230 (f) (2), FOR CONTENT PROVIDED BY ANOTHER PERSON."

Respectfully submitted,

House Committee:

Senate Committee:

Chairman

Chairman

