

LEGISLATIVE BILL 829

Approved by the Governor March 21, 1978

Introduced by Stoney, 4

AN ACT relating to the Nebraska Criminal Code; to provide an offense relating to morals; and to provide a penalty.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) It shall be unlawful for a person to make, publish, present, direct, create, provide, or in any manner generate any obscene material which has as one of its participants or portrayed observers a child under the age of sixteen or who appears as prepubescent.

(2) It shall be unlawful for a person knowingly to sell, deliver, distribute, display for sale, or provide to any person or minor, or knowingly possess with intent to sell, deliver, distribute, display for sale, or provide to any person or minor any obscene material which has as one of its participants or portrayed observers a child under the age of sixteen or who appears as prepubescent.

(3) For purposes of subsections (1) and (2) of this section, the definitions found in section 28-807, Revised Statutes Supplement, 1977, shall be used.

Sec. 2. Any person who violates the provisions of section 1 of this act shall be guilty of a Class III felony for the first offense and shall be guilty of a Class II felony for each subsequent offense.