

**SHB 1742 - H AMD 65**

By Representative Klippert

**NOT ADOPTED 03/04/2019**

1 On page 5, beginning on line 6, after "who" strike all material  
2 through "RCW 9.68A.011(4)" on line 9 and insert "possesses an image  
3 as defined in this section of himself or herself"

4 On page 5, line 10, after "(7)" insert "This section does not  
5 apply to a person under eighteen years of age who disseminates or  
6 exchanges an image as defined in this section of himself or herself  
7 with no more than one other person.

8 (8) A person under eighteen years of age who disseminates or  
9 exchanges an image as defined in this section of himself or herself  
10 with more than one other person is guilty of a misdemeanor.

11 (9) A person under eighteen years of age who possesses,  
12 distributes, exchanges, finances, attempts to finance, sells,  
13 develops, duplicates, publishes, or prints, a visual or printed  
14 matter that depicts himself or herself engaged in an act of sexually  
15 explicit conduct as defined in RCW 9.68A.011(4) (a) through (e) and  
16 (g) is guilty of a gross misdemeanor.

17 (10) A person under eighteen years of age who possesses,  
18 distributes, exchanges, finances, attempts to finance, sells,  
19 develops, duplicates, publishes, or prints, a visual or printed  
20 matter that depicts himself or herself engaged in an act of sexually  
21 explicit conduct as defined in RCW 9.68A.011(4) (f) is guilty of a  
22 misdemeanor.

23 (11) For purposes of this section, "image" means a photograph,  
24 moving picture, or other depiction of the unclothed breast, unclothed  
25 genitals, or unclothed pubic area or buttocks.

26 (12)"

27 On page 6, line 5, after "(3)" strike "This section does not  
28 apply to a" and insert "A"

29 On page 6, line 8, after "conduct" insert "is guilty of a gross  
30 misdemeanor"

1 On page 6, line 9, after "(4)" strike "This section does not  
2 apply to a" and insert "A"

3 On page 6, line 13, after "conduct" insert "is guilty of a  
4 misdemeanor"

5 On page 7, line 3, after "(3)" strike "This section does not  
6 apply to a minor's" and insert "A minor in"

7 On page 7, line 5, after "conduct" insert "is guilty of a  
8 misdemeanor"

9 On page 7, line 6, after "(4)" strike "This section does not  
10 apply to a" and insert "A"

11 On page 7, line 8, after "conduct" insert "is guilty of a  
12 misdemeanor"

13 On page 8, line 1, after "(5)" strike "This section does not  
14 apply to a" and insert "A"

15 On page 8, line 3, after "conduct" insert "is guilty of a  
16 misdemeanor"

17 On page 8, line 4, after "(6)" strike "This section does not  
18 apply to a" and insert "A"

19 On page 8, line 7, after "conduct" insert "is guilty of a  
20 misdemeanor"

EFFECT: The amendment makes the following changes to the underlying bill:

Defines "image" to mean a photograph, moving picture, or other depiction of the unclothed breast, unclothed genitals, or unclothed pubic area or buttocks.

Limits the exemption from criminal activity involving minors and depictions of themselves to possession of images of themselves and distribution or exchange of such images with one other person.

Creates a misdemeanor offense when a person under eighteen years of age disseminates or exchanges an image of himself or herself with more than one other person.

Creates a misdemeanor or gross misdemeanor offense depending on the type of conduct depicted when a person under eighteen years of age possesses, distributes, exchanges, finances, attempts to finance, sells, develops, duplicates, publishes, or prints a visual or printed matter that depicts himself or herself engaged in an act of sexually explicit conduct.

Replaces the exemption for minors who send or bring into the state visual or printed matter depicting a minor age 13 or older

engaged in sexually explicit conduct with a gross misdemeanor offense.

Replaces the exemption for minors who possess or intentionally view over the internet visual or printed matter depicting a minor age 13 or older engaged in sexually explicit conduct with a misdemeanor offense.

Replaces the exemption for minors under age 13 who send or bring into the state, possess, or intentionally view over the internet visual or printed matter depicting himself or herself engaged in sexually explicit conduct with a misdemeanor offense.

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