

1 **2SSB 5108** - H AMD TO CJC COMM AMD (H 2607.1/99) **0169 NOT CONSIDERED**  
2 **04/15/99**

3 By Representative Carrell

4 On page 1, after line 35 of the striking amendment, insert:

5 **Sec. 2.** RCW 9.68A.070 and 1990 c 155 s 1 are each amended to  
6 read as follows:

7 A person who knowingly possesses visual or printed matter  
8 depicting a minor engaged in sexually explicit conduct is guilty of a  
9 class C felony. For purposes of possessing a digital image, a person  
10 must engage in a knowing overt act to intentionally bring or keep the  
11 digital image within his or her control. Such an overt act may include  
12 downloading, printing, saving, sending, or storing the digital image.-

**EFFECT:** Requires a person to engage in a knowing overt act (such as downloading, printing, saving, sending, or storing) to intentionally bring or keep a digital image within his or her control before he or she can be found guilty of knowingly possessing a digital image of a minor engaged in sexually explicit conduct.