

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Gene Herman
609-777-2600

RELEASE: September 30, 1999

Gov. Christie Whitman today signed the following piece of legislation:

ACS for S-1391, A-2391, A-2424 and A-2919 creates a third- degree offense that can be used to prosecute an individual who shows obscene materials to a minor. In order to be prosecuted for this offense, the offender must have acted with the purpose of arousing or gratifying himself or another, and be four years older than the minor. The requirement that the offender act with the purpose of arousing or gratifying himself or another prevents this bill from being interpreted to prohibit a museum that admits minors from exhibiting works that depict nudity. The four-year age difference also is consistent with other related provisions of the Criminal Code, such as sexual assault.

The bill also would upgrade the offense of exhibiting obscene materials to a minor from a fourth-degree offense to a third- degree offense. Exhibiting obscene materials is defined as the sale of admission to view obscene materials. The legislation was sponsored by Senators C. Louis Bassano (R-Essex/Union) and Gerald Cardinale (R-Bergen) and Assembly Members Guy F. Talarico (R- Bergen), Rose Marie Heck (R-Bergen), Gerald J. Luongo (R- Camden/ Gloucester) and Richard A. Merkt (R-Morris).