

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 2652, Page 18, Section 168.110, Line 16,
2 by inserting after said section and line the following:

3
4 "573.550. 1. A person commits the offense of providing obscene material to a student if
5 such person is affiliated with a public or private elementary or secondary school in an official
6 capacity and, knowing of its content and character, such person provides, assigns, supplies,
7 distributes, loans, or coerces acceptance of or approving of the providing of obscene material to a
8 student or possesses with the purpose of providing, assigning, supplying, distributing, loaning, or
9 coercing acceptance of or approving of the providing of obscene material to a student.

10 2. The offense of providing obscene material to a student is a class A misdemeanor.

11 3. As used in this section, the following terms shall mean:

12 (1) "Person affiliated with a public or private elementary or secondary school in an official
13 capacity", an administrator, teacher, librarian, media center personnel, substitute teacher, teacher's
14 assistant, student teacher, law enforcement officer, school board member, school bus
15 driver, guidance counselor, coach, guest lecturer, guest speaker, or other nonschool employee who is
16 invited to present information to students by a teacher, administrator,
17 or other school employee. Such term shall not include a student enrolled in the elementary or
18 secondary school;

19 (2) "Obscene material", any material or performance if, taken as a whole:

20 (a) Applying contemporary community standards, its predominant appeal is to prurient
21 interest in sex;

22 (b) The average person, applying contemporary community standards, would find the
23 material depicts or describes sexual conduct in a patently offensive way; and

24 (c) A reasonable person would find the material lacks serious literary, artistic, political, or
25 scientific value."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.

Action Taken _____ Date _____