

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill Nos. 775, 751, & 640, Page 6, Section 566.155, Line 20,

2 by inserting after all of said line the following:

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

14 2. The offense of providing explicit sexual material
 15 to a student is a class A misdemeanor.

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

18 (1) "Explicit sexual material", any pictorial, three-
 19 dimensional, or visual depiction, including any photography,
 20 film, video, picture, or computer-generated image, showing
 21 human masturbation, deviate sexual intercourse as defined in
 22 section 566.010, sexual intercourse, direct physical
 23 stimulation of genitals, sadomasochistic abuse, or
 24 emphasizing the depiction of postpubertal human genitals;
 25 provided, however, that works of art, when taken as a whole,
 26 that have serious artistic significance, or works of

27 anthropological significance, or materials used in science
28 courses, including but not limited to materials used in
29 biology, anatomy, physiology, and sexual education classes
30 shall not be deemed to be within the foregoing definition;

31 (2) "Person affiliated with a public or private
32 elementary or secondary school in an official capacity", an
33 administrator, teacher, librarian, media center personnel,
34 substitute teacher, teacher's assistant, student teacher,
35 law enforcement officer, school board member, school bus
36 driver, guidance counselor, coach, guest lecturer, guest
37 speaker, or other nonschool employee who is invited to
38 present information to students by a teacher, administrator,
39 or other school employee. Such term shall not include a
40 student enrolled in the elementary or secondary school."; and

41 Further amend the title and enacting clause accordingly.