SENATE AMENDMENT NO. ___

Offered by _____ Of _____

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

2   by inserting after all of said line the following:

3   "573.550. 1. A person commits the offense of

4 providing obscene material to a student if such person is

5 affiliated with a public or private elementary or secondary

6 school in an official capacity and, knowing of its content

7 and character, such person provides, assigns, supplies,

8 distributes, loans, or coerces acceptance of or approving of

9 the providing of obscene material to a student or possesses

10 with the purpose of providing, assigning, supplying,

11 distributing, loaning, or coercing acceptance of or

12 approving of the providing of obscene material to a student.

13   2. The offense of providing obscene material to a

14 student is a class A misdemeanor.

15   3. As used in this section, the following terms shall

16 mean:

17   (1) "Person affiliated with a public or private

18 elementary or secondary school in an official capacity", an

19 administrator, teacher, librarian, media center personnel,

20 substitute teacher, teacher's assistant, student teacher,

21 law enforcement officer, school board member, school bus

22 driver, guidance counselor, coach, guest lecturer, guest

23 speaker, or other nonschool employee who is invited to

24 present information to students by a teacher, administrator,

25 or other school employee. Such term shall not include a

26 student enrolled in the elementary or secondary school;

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27   (2) "Obscene material", any material or performance
28   if, taken as a whole:
29   (a) Applying contemporary community standards, its
30   predominant appeal is to prurient interest in sex;
31   (b) The average person, applying contemporary
32   community standards, would find the material depicts or
33   describes sexual conduct in a patently offensive way; and
34   (c) A reasonable person would find the material lacks
35   serious literary, artistic, political, or scientific
36   value."; and
37   Further amend the title and enacting clause accordingly.