

Amend CSHB 2564 by adding the following appropriately numbered SECTION to the bill and by renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 108 to read as follows:

CHAPTER 108. COMPUTER TECHNICIANS REQUIRED TO REPORT CHILD  
PORNOGRAPHY

Sec. 108.001. DEFINITIONS. In this chapter:

(1) "Child pornography" means an image of a child engaging in sexual conduct or sexual performance.

(2) "Computer technician" means an individual who, in the course and scope of employment or business, installs, repairs, or otherwise services a computer for a fee.

(3) "Sexual conduct" and "sexual performance" have the meanings assigned by Section 43.25, Penal Code.

Sec. 108.002. REPORTING OF IMAGES OF CHILD PORNOGRAPHY.

(a) A computer technician who, in the course and scope of employment or business, views an image on a computer that is or appears to be child pornography shall immediately report the discovery of the image to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing and Exploited Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known.

(b) A computer technician may not be held liable on account of any action taken in good faith to comply with this section.

Sec. 108.003. CRIMINAL PENALTY. (a) A person who violates this chapter commits an offense. An offense under this subsection is a Class B misdemeanor.

(b) It is a defense to prosecution under this section that the actor did not report the discovery of an image of child pornography because the child in the image appeared to be at least 18 years of age.