

Amend CSSB 1135 (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 98B.001, Civil Practice and Remedies Code (page 1, lines 30 through 35), strike Subdivisions (1), (2), and (3) and substitute the following:

(1) "Intimate parts," "promote," "sexual conduct," and "visual material" have the meanings assigned by Section 21.16, Penal Code.

(2) "Intimate visual material" means visual material that depicts a person:

(A) with the person's intimate parts exposed; or

(B) engaged in sexual conduct.

(2) In SECTION 2 of the bill, in added Section 98B.007(b), Civil Practice and Remedies Code (page 2, line 48), between "disclosure" and "consisting of", insert "or promotion".

(3) In SECTION 3 of the bill, in added Section 21.16(a), Penal Code (page 2, lines 54 through 57), strike Subdivisions (1) and (2) and substitute the following:

(1) "Intimate parts" means the naked genitals, pubic area, anus, buttocks, or female nipple of a person.

(2) "Promote" means to procure, manufacture, issue, sell, give, provide, lend, mail, deliver, transfer, transmit, publish, distribute, circulate, disseminate, present, exhibit, or advertise or to offer or agree to do any of the above.

(3) "Sexual conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse.

(4) "Simulated" means the explicit depiction of sexual conduct that creates the appearance of actual sexual conduct and during which a person engaging in the conduct exhibits any uncovered portion of the breasts, genitals, or buttocks.

(5) "Visual material" means:

(A) any film, photograph, videotape, negative, or slide or any photographic reproduction that contains or incorporates in any manner any film, photograph, videotape, negative, or slide; or

(B) any disk, diskette, or other physical medium that allows an image to be displayed on a computer or other video

screen and any image transmitted to a computer or other video screen by telephone line, cable, satellite transmission, or other method.

(4) In SECTION 3 of the bill, in added Section 21.16(b)(1), Penal Code (page 2, line 61), between "person" and "engaged", insert "with the person's intimate parts exposed or".

(5) In SECTION 3 of the bill, in added Section 21.16(c), Penal Code (page 3, line 7), between "person" and "engaged", insert "with the person's intimate parts exposed or".

(6) In SECTION 3 of the bill, in added Section 21.16(f)(2), Penal Code (page 3, lines 31-32), strike "only a voluntary exposure of sexual conduct in a public or commercial setting" and substitute "in a public or commercial setting only a person's voluntary exposure of:

(A) the person's intimate parts; or

(B) the person engaging in sexual conduct".