

Amend CSHB 900 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 43.24(c), Penal Code, is amended to read as follows:

(c) It is an affirmative defense to prosecution under this section that the sale, distribution, or exhibition was by a person having scientific~~[, educational, governmental,]~~ or other similar justification.

SECTION _____. Section 43.25(f), Penal Code, is amended to read as follows:

(f) It is an affirmative defense to a prosecution under this section that:

(1) the defendant was the spouse of the child at the time of the offense;

(2) the conduct was for a bona fide ~~[educational,]~~ medical, psychological, psychiatric, judicial, law enforcement, or legislative purpose; or

(3) the defendant is not more than two years older than the child.

SECTION _____. The changes in law made by this Act to Sections 43.24(c) and 43.25(f), Penal Code, apply only to an offense committed on or after September 1, 2023. An offense committed before September 1, 2023, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2023, if any element of the offense occurred before that date.