



FLOOR AMENDMENT NO. _____

BY: Garcia of Bexar

1 Amend C.S.H.B. No. 1106 (house committee report) as follows:

2 (1) On page 1, line 5, strike "adding Subdivision (1-a) and
3 amending Subdivision (4)" and substitute "amending Subdivisions
4 (1) and (4) and adding Subdivisions (1-a) and (1-b)".

5 (2) On page 1, between lines 6 and 7, insert the following:

6 (1) "Abuse" includes the following acts or omissions
7 by a person:

8 (A) mental or emotional injury to a child that
9 results in an observable and material impairment in the child's
10 growth, development, or psychological functioning;

11 (B) causing or permitting the child to be in a
12 situation in which the child sustains a mental or emotional injury
13 that results in an observable and material impairment in the
14 child's growth, development, or psychological functioning;

15 (C) physical injury that results in substantial
16 harm to the child, or the genuine threat of substantial harm from
17 physical injury to the child, including an injury that is at
18 variance with the history or explanation given and excluding an
19 accident or reasonable discipline by a parent, guardian, or
20 managing or possessory conservator that does not expose the child
21 to a substantial risk of harm;

22 (D) failure to make a reasonable effort to
23 prevent an action by another person that results in physical injury
24 that results in substantial harm to the child;

25 (E) sexual conduct harmful to a child's mental,
26 emotional, or physical welfare, including conduct that constitutes
27 the offense of continuous sexual abuse of young child or disabled
28 individual under Section 21.02, Penal Code, indecency with a child
29 under Section 21.11, Penal Code, sexual assault under Section

1 22.011, Penal Code, or aggravated sexual assault under Section
2 22.021, Penal Code;

3 (F) failure to make a reasonable effort to
4 prevent sexual conduct harmful to a child;

5 (G) compelling or encouraging the child to engage
6 in sexual conduct as defined by Section 43.01, Penal Code,
7 including compelling or encouraging the child in a manner that
8 constitutes an offense of trafficking of persons under Section
9 20A.02(a)(7) or (8), Penal Code, solicitation of prostitution under
10 Section 43.021, Penal Code, or compelling prostitution under
11 Section 43.05(a)(2), Penal Code;

12 (H) causing, permitting, encouraging, engaging
13 in, or allowing the photographing, filming, or depicting of the
14 child if the person knew or should have known that the resulting
15 photograph, film, or depiction of the child is obscene as defined by
16 Section 43.21, Penal Code, or pornographic;

17 (I) the current use by a person of a controlled
18 substance as defined by Chapter 481, Health and Safety Code, in a
19 manner or to the extent that the use results in physical, mental, or
20 emotional injury to a child;

21 (J) causing, expressly permitting, or
22 encouraging a child to use a controlled substance as defined by
23 Chapter 481, Health and Safety Code;

24 (K) causing, permitting, encouraging, engaging
25 in, or allowing a sexual performance by a child as defined by
26 Section 43.25, Penal Code;

27 (L) knowingly causing, permitting, encouraging,
28 engaging in, or allowing a child to be trafficked in a manner
29 punishable as an offense under Section 20A.02(a)(5), (6), (7), or
30 (8), Penal Code, or the failure to make a reasonable effort to
31 prevent a child from being trafficked in a manner punishable as an

1 offense under any of those sections; [~~or~~]

2 (M) forcing or coercing a child to enter into a
3 marriage; or

4 (N) forcing, coercing, or causing a child to
5 participate in conversion therapy.

6 (3) On page 1, between lines 12 and 13, insert the
7 following:

8 (1-b) "Conversion therapy" means a practice or
9 treatment provided to a person by a health care provider or
10 nonprofit organization that seeks to:

11 (A) change the person's sexual orientation,
12 including by attempting to change the person's behavior or gender
13 identity or expression; or

14 (B) eliminate or reduce the person's sexual or
15 romantic attractions or feelings toward individuals of the same
16 sex.