

Library materials shall not include "harmful material" as defined by Penal code 43.24(a)(2) or "obscene" material as defined by Penal Code 43.21(a)(1).

(2) "Harmful material" means material whose dominant theme taken as a whole:

- (A) appeals to the prurient interest of a minor, in sex, nudity, or excretion;
- (B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
- (C) is utterly without redeeming social value for minors.

(1) "Obscene" means material or a performance that:

- (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex;
- (B) depicts or describes:
  - (i) patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or
  - (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and
- (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.