

FIRST REGULAR SESSION

SENATE BILL NO. 42

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KENNEY.

Pre-filed December 1, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0522S.011

AN ACT

To amend chapter 182, RSMo, by adding thereto two new sections relating to public libraries, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 182, RSMo, is amended by adding thereto two new sections, to be known as sections 182.825 and 182.827, to read as follows:

182.825. As used in sections 182.825 and 182.827, the following terms mean:

- (1) "Pornographic for minors", as that term is defined in section 573.010, RSMo;**
- (2) "Public access computer", a computer that is:**
 - (a) Located in a public school or public library;**
 - (b) Frequently or regularly used directly by a minor; and**
 - (c) Connected to any computer communication system.**

182.827. 1. A public school that provides a public access computer shall equip the computer with software that seeks to prevent minors from gaining access to material that is pornographic for minors or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is pornographic for minors. Standards and rules for the enforcement of this subsection shall be prescribed by the governing board of every school district and such rules shall reflect the community standards for pornographic material available to minors.

2. A public library that provides a public access computer shall do one or both of the following:

- (1) Equip the computer with software that will limit minors' ability to gain access to material that is pornographic for minors or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is**

pornographic for minors;

(2) Develop and implement by January 1, 2002, a policy that is consistent with community standards and establishes measures to restrict minors from gaining computer access to material that is pornographic for minors.

3. The secretary of state shall establish rules and regulations for the enforcement of subsection 2 of this section.

4. Any school board member, officer or employee, including library personnel, who willfully neglects or refuses to perform a duty imposed by this section shall be subject to the penalties imposed pursuant to section 162.091, RSMo.

5. A public school or public school board member, officer or employee, including library personnel, that complies with subsection 1 or 2 of this section shall not be criminally liable or liable for any damages that might arise from a minor gaining access to material that is pornographic for minors through the use of a public access computer that is owned or controlled by the public school or public library.

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