

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas As Engrossed: H1/10/01 H1/25/01 S2/26/01 S3/2/01 S3/30/01

2 83rd General Assembly

A Bill

Act 1533 of 2001

3 Regular Session, 2001

HOUSE BILL 1003

4

5 *By: Representatives Bennett, G. Jeffress, Eason, Fite, Holt, Mack, Duggar, Files, Oglesby, Hutchinson,*
6 *Altes, Hendren, Bledsoe, House, M. Smith, Creekmore, Schall, Scroggin*

7 *By: Senators Wilkins, J. Jeffress, Baker, Horn, DeLay, Webb, Wilkinson, Faris, Gullett, Trusty*

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For An Act To Be Entitled

10 AN ACT TO REQUIRE PUBLIC SCHOOLS TO INSTALL
11 INTERNET FILTERS OR OBTAIN INTERNET ACCESS
12 CONNECTIVITY FROM A PROVIDER THAT PROVIDES FILTER
13 SERVICES TO LIMIT ACCESS TO MATERIAL THAT IS
14 HARMFUL TO MINORS; TO REQUIRE PUBLIC LIBRARIES TO
15 ADOPT A WRITTEN INTERNET POLICY; AND FOR OTHER
16 PURPOSES.

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Subtitle

19 TO REQUIRE PUBLIC SCHOOLS TO INSTALL
20 INTERNET FILTERS OR OBTAIN INTERNET ACCESS
21 CONNECTIVITY FROM A PROVIDER THAT PROVIDES
22 FILTER SERVICES TO LIMIT ACCESS TO MATERIAL
23 THAT IS HARMFUL TO MINORS.

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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28 SECTION 1. For purposes of act:

29 (1) "Harmful to minors" means that quality of any description,
30 exhibition, presentation, or representation, in whatever form, of nudity,
31 sexual conduct, sexual excitement, or sadomasochistic abuse, when the material
32 or performance, taken as a whole, has the following characteristics:

33 (A) The average person eighteen (18) years of age or older
34 applying contemporary community standards would find that the material or
35 performance has a predominant tendency to appeal to a prurient interest in sex
36 to minors;

1 (B) The average person eighteen (18) years of age or older
2 applying contemporary community standards would find that the material or
3 performance depicts or describes nudity, sexual conduct, sexual excitement, or
4 sadomasochistic abuse in a manner that is patently offensive to prevailing
5 standards in the adult community with respect to what is suitable for minors;
6 and

7 (C) The material or performance lacks serious literary,
8 scientific, medical, artistic, or political value for minors; and

9 (2) "Public access computer" means a computer that:

10 (A) Is located in a public school;

11 (B) Is frequently or regularly used directly by a minor;

12 and

13 (C) Is connected to any computer communication system.

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15 SECTION 2. (a) A public school that provides public access computer
16 shall equip the computer with technology that seeks to prevent minors from
17 gaining access to material that is harmful to minors or obtain internet
18 connectivity from an internet service provider that provides filter services
19 to limit access to material that is harmful to minors. Standards and rules for
20 the enforcement of this subsection shall be prescribed by the State Board of
21 Education.

22 (b) A school board may, by a majority vote and after an opportunity for
23 a notice and comment period of at least thirty (30) calendar days, vote to
24 exclude the public schools under its authority from the provisions of
25 subsection (a) of this section.

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27 SECTION 3. (a) Each library operated as an entity of the state or any
28 city, county, or other political subdivision of the state with one (1) or more
29 public access computers shall develop, adopt and implement a written policy
30 that:

31 (1) Establishes and maintains a system to prevent minors from gaining
32 computer access to materials harmful to minors; and

33 (2) Provides for suspending the privilege of a minor from using the
34 public access computers for violation of the policy and revoking such
35 privilege for repeat offenders.

36 (b) Copies of the standards and rules for the enforcement of this

1 section shall be submitted to the Arkansas State Library.

2 /s/ Bennett

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APPROVED: 4/12/2001

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