

FIRST REGULAR SESSION

HOUSE BILL NO. 407

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KELLEY (47), BARTLE, MYERS, HENDRICKSON, BYRD, PORTWOOD, PHILLIPS (Co-sponsors), TROUPE, LUETKEMEYER, LEVIN, ROBIRDS, LINTON, CIERPIOT, BOUCHER, ENZ, KELLY (36), CRAWFORD, MILLER, MARBLE, RECTOR, HUNTER, REINHART, BARRY, BURCHAM, HANAWAY, WALTON, WRIGHT, JETTON, DEMPSEY, LUETKENHAUS, HOLT, BEARDEN, BERKSTRESSER, MURPHY AND BARNETT.

Read 1st time January 17, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1072L.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

11 to material that is pornographic for minors or purchase Internet connectivity from an
12 Internet service provider that provides filter services to limit access to material that is
13 pornographic for minors;

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

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

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

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