

By Senator Wise

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A bill to be entitled
An act relating to Internet screening in public
libraries; defining terms; requiring public
libraries to provide technology that blocks or
filters Internet access to specified proscribed
visual depictions; allowing adults to request
disablement of the technology; providing a
finding of important state interest; providing
an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Internet screening in public libraries.--

(1) As used in this section, the term:

(a) "Child pornography" has the same meaning as in
section 847.001, Florida Statutes.

(b) "Harmful to minors" means any picture, image,
graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors,
appeals to a prurient interest in nudity, sex, or excretion;

2. Depicts, describes, or represents, in a patently
offensive way with respect to what is suitable for minors, an
actual or simulated sexual act or sexual contact, an actual or
simulated normal or perverted sexual act, or a lewd exhibition
of the genitals; and

3. Taken as a whole, lacks serious literary, artistic,
political, or scientific value as to minors.

(c) "Minor" means an individual who is younger than 18
years of age.

(d) "Obscene" has the same meaning as in section
847.001, Florida Statutes.

1 (e) "Public computer" means a computer that is made
2 available to the public and that has Internet access.

3 (f) "Technology protection measure" means software or
4 equivalent technology that blocks or filters Internet access
5 to the visual depictions that are proscribed under subsection
6 (2).

7 (2) Each county or municipal public library shall
8 enforce an Internet safety policy that provides for the:

9 (a) Installation and operation of a technology
10 protection measure on all public computers in the library
11 which protects against access through such computers by adults
12 to visual depictions that are obscene or child pornography and
13 by minors to visual depictions that are obscene, child
14 pornography, or harmful to minors; and

15 (b) Disablement of the technology protection measure
16 by an employee of the county or municipal public library upon
17 an adult's request to use the computer.

18 Section 2. In accordance with Section 18, Article VII
19 of the State Constitution, the Legislature finds that the
20 installation and operation by public libraries of technology
21 protection measures that protect against access by adults to
22 visual depictions that are obscene or child pornography and by
23 minors to visual depictions that are obscene, child
24 pornography, or harmful to minors fulfills an important state
25 interest.

26 Section 3. This act shall take effect July 1, 2004.
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SENATE SUMMARY

Requires public libraries to provide technology that blocks or filters Internet access by adults to visual depictions that are obscene or child pornography and by minors to visual depictions that are obscene, child pornography, or harmful to minors. Allows adults to request disablement of the technology. Provides a finding of important state interest.