

april 5, 2001

S 1032. MINORS' INTERNET ACCESS. REQUIRING PUBLIC LIBRARIES AND SCHOOLS TO IMPLEMENT POLICIES TO PROTECT MINORS FROM OBSCENE MATERIAL OR MATERIAL HARMFUL TO MINORS THROUGH USE OF THE INTERNET. Requires governing boards of public libraries to adopt policies regarding minors' access to the Internet. Policies must seek to prevent minors' access to material that is obscene or harmful to minors, by providing that one or more of the available computers are protected from receiving such material, and reserving the use of computers that are not protected to individuals age 18 or older or minors accompanied by a parent or guardian. Computers may be protected either by the use of filtering software or of an internet service provider that provides filter services. Requires Dep't of Public Instruction to adopt a policy regarding minors' access to the Internet that includes either or both of the following provisions: (1) equipping computers with filtering software, or (2) use of an internet service provider that provides filter services. Makes local education agencies responsible for implementing the policy.

Intro. by Lee.

Ref. to Judiciary II

GS 115C, 125

April 25, 2001

S 1032. MINORS' INTERNET ACCESS. Intro. 4/5/01. Senate committee substitute and amendments make the following changes to 1st edition. Changes title to *AN ACT REQUIRING PUBLIC LIBRARIES AND SCHOOLS TO IMPLEMENT POLICIES TO PROTECT MINORS FROM OBSCENE MATERIAL OR MATERIAL HARMFUL TO MINORS THROUGH THE USE OF THE INTERNET, TO PROHIBIT THE DISSEMINATION OF OBSCENITIES BY COMPUTER TRANSMISSION, TO INCREASE THE PENALTIES FOR CERTAIN CRIMINAL OFFENSES CONCERNING MINORS AND OBSCENITY, TO PROHIBIT THE USE OF STATE COMPUTERS TO ACCESS OBSCENITIES, AND TO REGULATE CERTAIN USES OF STATE COMPUTERS.*

(1) Rewrites provision regarding public libraries to require those libraries to adopt a policy governing acceptable use of Internet by library users (was, policy on minors' access). Requires policy to include how library will assist children in accessing educational resources and work to prevent access to harmful material. Expects from requirement that at least one computer be available for minors that limits access to obscene material libraries located in rural counties that have fewer than 4 computers. Clarifies that term "public libraries" does not include community college or college libraries. (2) Requires State Board of Education rather than Dep't of Public Instruction to adopt policy regarding minors' access to Internet in schools. (3) Amends various obscenity offenses to include within offense a person's making accessible by computer any obscene material. (4) Increases punishment by one class for various G.S. Chapter 14 obscenity offenses. (5) Adds new GS 14-202.5 to prohibit person from willfully and intentionally using government computer to access any information or services having obscene content, to make violation Class 1 misdemeanor, and to require dismissal of employee who violates provision. (6) Amends GS 14-196, using profane, indecent, or threatening language to make it apply to any electronic communication not merely telephone communication. (7) Provisions regarding changes to criminal provisions take effect Dec. 1, 2001.