

**RESOLUTION URGING FEDERAL AND STATE
ACTION AGAINST INTERNET ABUSES**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Dana C. Love

This concurrent resolution of the Legislature and the Governor urges the Federal Government to address abuses of Internet technology that deceptively expose Internet users to objectionable material and illegal activities and urges states to join in recommending federal action. The resolution also urges Utah and other states to study ways states can address these threats to their citizens.

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, in just a few years, the Internet has become a pervasive influence in societies throughout the world;

WHEREAS, in the wake of increased use of the Internet for everything from shopping to research comes the increased use of Internet technology that is harmful to Internet users;

WHEREAS, the proliferation of computer viruses transmitted through use of the Internet has resulted in the loss of hundreds of millions of dollars for companies and individuals due to crashed computer equipment and corrupted data;

WHEREAS, many websites fail to accurately disclose the nature of their site or what product they may sell;

WHEREAS, Internet technology is sometimes used to prevent an Internet user from leaving a website while credit card numbers and other sensitive information is stolen from the user;

WHEREAS, some obscene websites disguise their objectionable products, thereby snaring unsuspecting users, then use Internet technology to prevent users from leaving the website;

WHEREAS, if websites prevent users from leaving the site, the only way a user can escape credit card theft or exposure to objectionable material may be to turn off the computer, which in some cases crashes the computer or results in the loss of important information stored

on the user's computer;

WHEREAS, constitutional protections such as the Commerce Clause and the First Amendment may restrict state efforts to regulate harmful Internet activities;

WHEREAS, although these constitutional protections address basic and important rights, these protections should not be used to protect criminal actions taken by website owners or operators who use technology to victimize computer users;

WHEREAS, because of the interstate and international aspects of the Internet the Federal Government may be best positioned to regulate these harmful Internet activities;

WHEREAS, Internet users' rights to choose what they are exposed to through the Internet, should be upheld by laws such as laws that require clear identification of a website's content and when notified of a website's content permit users to easily remove themselves from the website;

WHEREAS, the Federal Government should enforce laws that protect the citizens of the United States from theft, damage to property, and deceptive exposure to objectionable material through criminal use of Internet technology and should refine or create new federal laws where necessary;

WHEREAS, these laws should be crafted so that they do not have unintended consequences for the many legitimate businesses that provide Internet services;

WHEREAS, the Federal Government should consider adapting laws that protect citizens from pornographic mail to provide similar protections to electronic forms of pornographic mail;

WHEREAS, Utah and other states should carefully study these encroachments on the rights of citizens and develop strategies to combat these abuses; and

WHEREAS, the state and Federal Government's responsibility of protecting the rights of its citizens must include protection of its citizens while they are on the Internet:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, urge the Federal Government to enforce laws, and develop appropriate new laws, that will protect its citizens from theft, damage to property, and deceptive exposure to objectionable material through use of Internet technology.

BE IT FURTHER RESOLVED that the Legislature and the Governor urge other states to also petition the Federal Government to protect its citizens.

BE IT FURTHER RESOLVED that the Legislature and the Governor urge Utah and other states to study ways states can address these threats to the well being of their citizens.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Federal Communications Commission, the United States Attorney General, the attorney general of each of the fifty states, the National Conference of State Legislatures, and to the members of Utah's congressional delegation.