

13-39-201 Establishment of child protection registry.

- (1) The division shall:
 - (a) establish and operate a child protection registry to compile and secure a list of contact points the division has received pursuant to this section; or
 - (b) contract with a third party to establish and secure the registry described in Subsection (1)(a).
- (2)
 - (a) The division shall implement the registry described in this section with respect to email addresses beginning on July 1, 2005.
 - (b) The division shall implement the registry described in this section with respect to instant message identities.
 - (c) The division shall implement the registry described in this section with respect to mobile or other telephone numbers.
- (3)
 - (a) A person may register a contact point with the division pursuant to rules established by the division under Subsection 13-39-203(1) if:
 - (i) the contact point belongs to a minor;
 - (ii) a minor has access to the contact point; or
 - (iii) the contact point is used in a household in which a minor is present.
 - (b) A school or other institution that primarily serves minors may register its domain name with the division pursuant to rules made by the division under Subsection 13-39-203(1).
 - (c) The division shall provide a disclosure in a confirmation message sent to a person who registers a contact point under this section that reads: "No solution is completely secure. The most effective way to protect children on the Internet is to supervise use and review all email messages and other correspondence. Under law, theft of a contact point from the Child Protection Registry is a second degree felony. While every attempt will be made to secure the Child Protection Registry, registrants and their guardians should be aware that their contact points may be at a greater risk of being misappropriated by marketers who choose to disobey the law."
- (4) A person desiring to send a communication described in Subsection 13-39-202(1) to a contact point or domain shall:
 - (a) use a mechanism established by rule made by the division under Subsection 13-39-203(2); and
 - (b) pay a fee for use of the mechanism described in Subsection (4)(a) determined by the division in accordance with Section 63J-1-504.
- (5) The division may implement a program to offer discounted compliance fees to senders who meet enhanced security conditions established and verified by the division, the third party registry provider, or a designee.
- (6) The contents of the registry, and any complaint filed about a sender who violates this chapter, are not subject to public disclosure under Title 63G, Chapter 2, Government Records Access and Management Act.
- (7) The state shall promote the registry on the state's official Internet website.

Amended by Chapter 183, 2009 General Session