



28 within a city or county of the state, regardless of the title by which it is known locally.

29 (3) "Policy" means the public library online access policy adopted by a library board to  
30 meet the requirements of Section 9-7-215.

31 [~~(2)~~] (4) "Political subdivision" means any county, city, town, school district, public transit  
32 district, redevelopment agency, or special improvement or taxing district.

33 [~~(3)~~] (5) "State agency" means the state, any office, department, agency, authority,  
34 commission, board, institution, hospital, college, university, or other instrumentality of the state.

35 [~~(4)~~] (6) (a) "State publication" means any book, compilation, directory, document,  
36 contract or grant report, hearing memorandum, journal, law, legislative bill, magazine, map,  
37 monograph, order, ordinance, pamphlet, periodical, proceeding, public memorandum, resolution,  
38 register, rule, report, statute, audiovisual material, electronic publication, micrographic form and  
39 tape or disc recording regardless of format or method of reproduction, issued or published by any  
40 state agency or political subdivision for distribution.

41 (b) "State publication" does not include any correspondence, internal confidential  
42 publications, office memoranda, university press publications, or publications of the state historical  
43 society.

44 Section 2. Section **9-7-216** is enacted to read:

45 **9-7-216. Process and content standards for policy.**

46 (1) (a) Each library's policy shall be developed under the direction of the library board,  
47 adopted in an open meeting, and have an effective date. The library board shall review the policy  
48 at least every three years, and a footnote shall be added to the policy indicating the effective date  
49 of the last review.

50 (b) Notice of the availability of the policy shall be posted in a conspicuous place within  
51 the library for all patrons to observe. The library board may issue any other public notice it  
52 considers appropriate to inform the community about the policy.

53 (2) The policy shall:

54 (a) state that it restricts access by minors to Internet or online sites that contain obscene  
55 material and shall state how the library board intends to meet the requirements of Section 9-7-215;

56 (b) inform patrons that administrative procedures and guidelines for the staff to follow in  
57 enforcing the policy have been adopted and are available for review at the library; and

58 (c) inform patrons that procedures for use by patrons and staff to handle complaints about

59 the policy, its enforcement, or about observed patron behavior have been adopted and are available  
60 for review at the library.

61 Section 3. Section **9-7-217** is enacted to read:

62 **9-7-217. Reporting.**

63 The division shall make a report to the Business, Labor, and Economic Development  
64 Interim Committee of the Legislature at least once every three years regarding the compliance of  
65 library boards with Section 9-7-215.

66 Section 4. Section **53A-3-422** is enacted to read:

67 **53A-3-422. Internet and online access policy required.**

68 No state funds appropriated in accordance with Section 53A-1-702 shall be provided to any  
69 local school board that provides access to the Internet or an online service to minors unless the  
70 local school board adopts and enforces a policy to restrict access by minors to Internet or online  
71 sites that contain obscene material.

72 Section 5. Section **53A-3-423** is enacted to read:

73 **53A-3-423. Process and content standards for policy.**

74 (1) "Policy" as used in this section means the elementary and secondary school online  
75 access policy adopted by a local school board to meet the requirements of Section 53A-3-422.

76 (2) (a) Each policy shall be developed under the direction of the local school board,  
77 adopted in an open meeting, and have an effective date. The local school board shall review the  
78 policy at least every three years, and a footnote shall be added to the policy indicating the effective  
79 date of the last review.

80 (b) Notice of the availability of the policy shall be posted in a conspicuous place within  
81 each school for all minors to observe. The local school board may issue any other public notice  
82 it considers appropriate.

83 (3) The policy shall:

84 (a) state that it restricts access by minors to Internet or online sites that contain obscene  
85 material and shall state how the local school board intends to meet the requirements of Section  
86 53A-3-422;

87 (b) inform the public that administrative procedures and guidelines for the staff to follow  
88 in enforcing the policy have been adopted and are available for review at the school; and

89 (c) inform the public that procedures for use by minors and staff to handle complaints

90 about the policy, its enforcement, or about observed behavior of minors have been adopted and are  
91 available for review at the school.

92 Section 6. Section **53A-3-424** is enacted to read:

93 **53A-3-424. Rulemaking -- Reporting.**

94 (1) The State Office of Education may make rules in accordance with Title 63, Chapter  
95 46a, Utah Administrative Rulemaking Act, regarding compliance standards and reporting  
96 requirements for local school boards with respect to the policy required by Section 53A-3-422.

97 (2) The State Office of Education shall make a report to the Education Interim Committee  
98 of the Legislature at least once every three years regarding the compliance of local school boards  
99 with Section 53A-3-422.

100 Section 7. **Effective date.**

101 This act takes effect on July 1, 2001.

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**Legislative Review Note**

**as of 1-24-01 10:01 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**