

Senator Howard A. Stephenson proposes the following substitute bill:

CHILD PROTECTION REGISTRY

AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Dmitrich

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the Child Protection Registry.

Highlighted Provisions:

This bill:

► requires that a fee charged under Title 13, Chapter 39, Child Protection Registry, be based on the number of contact points from the registry found on the person's list of contacts.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-39-201, as enacted by Chapter 338, Laws of Utah 2004

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **13-39-201** is amended to read:



26 **13-39-201. Establishment of child protection registry.**

27 (1) The division shall:

28 (a) establish and operate a child protection registry to compile and secure a list of
29 contact points the division has received pursuant to this section; or

30 (b) contract with a third party to establish and secure the registry described in
31 Subsection (1)(a).

32 (2) (a) The division shall implement the registry described in this section with respect
33 to email addresses beginning on July 1, 2005.

34 (b) The division shall implement the registry described in this section with respect to
35 instant message identities after:

36 (i) the division has determined to the satisfaction of the division the security of the
37 registry described in this section with respect to email addresses; and

38 (ii) the division has reported to the Public Utilities and Technology Interim Committee
39 the intention of the division to implement the registry described in this section with respect to
40 instant message identities.

41 (c) The division shall implement the registry described in this section with respect to
42 telephone numbers, facsimile numbers, and electronic addresses described in Subsection
43 13-39-102(1)(b)(iv) after:

44 (i) the division has determined to the satisfaction of the division the security of the
45 registry described in this section with respect to instant message identities; and

46 (ii) the division has reported to the Public Utilities and Technology Interim Committee
47 the intention of the division to implement the registry described in this section with respect to
48 telephone numbers, facsimile numbers, and electronic addresses described in Subsection
49 13-39-102(1)(b)(iv).

50 (3) (a) A person may register a contact point with the division pursuant to rules
51 established by the division under Subsection 13-39-203(1) if:

52 (i) the contact point belongs to a minor; or

53 (ii) a minor has access to the contact point.

54 (b) A school or other institution that primarily serves minors may register its domain
55 name with the division pursuant to rules made by the division under Subsection 13-39-203(1).

56 (c) The division shall provide a disclosure to a person who registers a contact point

57 under this section that reads: "No solution is completely secure. The most effective way to
58 protect children on the Internet is to supervise use and review all email messages and other
59 correspondence. Under law, theft of a contact point from the Child Protection Registry is a
60 class B felony. While every attempt will be made to secure the Child Protection Registry,
61 registrants and their guardians should be aware that their contact points may be at a greater risk
62 of being misappropriated by marketers who choose to disobey the law."

63 (4) A person desiring to send a communication described in Subsection 13-39-202(1)
64 to a contact point or domain shall:

65 (a) use a mechanism established by rule made by the division under Subsection
66 13-39-203(2); and

67 (b) pay a fee based on the number of contact points from the registry found on the
68 person's list of contacts for use of the mechanism described in Subsection (4)(a) determined by
69 the division in accordance with Section 63-38-3.2.

Fiscal Note
Bill Number SB0206S01

Child Protection Registry Amendments

09-Feb-06

10:27 AM

State Impact

No fiscal impact because fees under the old structure would be comparable to the fees under the new structure.

Individual and Business Impact

Individual and aggregate costs would depend on the number of addresses from the Child Protection Registry that are contained on the marketer's email lists.

Office of the Legislative Fiscal Analyst