

# 1st Sub. H.B. 18

## MATERIAL HARMFUL TO MINORS AMENDMENTS

Senator **Darin Peterson** proposes the following amendments:

1. *Page 1, Line 17:*

17 by removing "age verification mechanism" as a form of restriction;

- ▶ = amends the definition of "service provider" to include only Internet service providers;
- ▶ allows a provider to comply with the requirement to provide filtering for users by referring users to a third party that provides filtering software; and

2. *Page 4, Line 98:*

98 minor, the person intentionally ~~{or knowingly}~~ :

3. *Page 4, Line 117:*

117 76-10-1230 , a provider of an electronic communications service as defined in 18 U.S.C. 2510, a telecommunications service, information service, or mobile service as defined in 47 U.S.C. 153, including a commercial mobile service as defined in 47 U.S.C. § 332(d), or a cable operator as defined in 47 U.S.C. 522 , if:

4. *Page 5, Line 119:*

119 only incidentally through the ~~{Internet service}~~ provider's function of:

5. *Page 5, Line 122:*

122 (B) the ~~{Internet service}~~ provider does not intentionally aid or abet in the distribution of

6. *Page 5, Lines 124 through 125:*

124 (C) the ~~{Internet service}~~ provider does not knowingly receive ~~{funds}~~ from or through a  
125 person who distributes the pornographic material ~~{in exchange}~~ a fee greater than the fee generally charged by the provider, as a specific condition for permitting the person to

7. *Page 5, Lines 134 through 135:*

134 (C) the hosting company does not knowingly receive ~~{funds}~~ from or through a person  
135 who distributes the pornographic material ~~{in exchange}~~ a fee greater than the fee generally charged by the provider, as a specific condition for permitting the person to distribute,

8. Page 5, Lines 137 through 138:

137            {+} (4) {+} [(a)] {+} A service provider, as defined in Section 76-10-1230, is not negligent  
under  
138 this section if it complies with Section 76-10-1231. {+}

9. Page 6, Lines 175 through 178:

175            (7) (a) Except as provided in Subsection (7)(b), "service provider" means {+  
176 ~~(i)~~} an Internet service provider {+or  
177 ~~(ii) a person who otherwise provides an Internet access service to a consumer in Utah  
178 with the intent of making a profit~~} .

10. Page 7, Lines 202 through 203:

202            (ii) providing software, {or} engaging a third party to provide software, or referring users to a  
third party that provides filtering software, by providing a clear and conspicuous hyperlink or written  
statement,  
or for  
203 {contemporaneous} installation on the consumer's computer that blocks, in an easy-to-enable and