

LIBRARY TECHNOLOGY USE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Susan Pulsipher

LONG TITLE

General Description:

This bill modifies the policy requirements of public libraries.

Highlighted Provisions:

This bill:

► modifies provisions related to a public library's required Internet safety policy to include wireless networks.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-7-215, as last amended by Laws of Utah 2011, Chapter 320

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

Section 1. Section **9-7-215** is amended to read:

9-7-215. Internet and online access policy required.

(1) As used in this section:

(a) "Child pornography" is as defined in Section **76-5b-103**.

(b) "Harmful to minors" is as defined in Section **76-10-1201**.



28 (c) "Obscene" is as defined in 20 U.S.C. Sec. 9101.

29 (d) "Technology protection measure" means a technology that blocks or filters Internet
30 access to visual depictions.

31 (2) State funds may not be provided to any public library that ~~[offers use of]~~ provides
32 public access to the Internet [or an online service to the public] unless the library:

33 (a) (i) has in place a policy of Internet safety, including the operation of a
34 technology protection measure:

35 (A) with respect to any ~~[publicly accessible]~~ computer ~~[with Internet access; and]~~ or
36 other device while connected to the Internet through a network provided by the library,
37 including a wireless network; and

38 (B) that protects against access to visual depictions that are:

39 (I) child pornography;

40 (II) harmful to minors; or

41 (III) obscene; and

42 (ii) is enforcing the operation of the technology protection measure described in
43 Subsection (2)(a)(i) during any use by a minor of a computer ~~[by a minor]~~ or other device that
44 is connected to the Internet through a network provided by the library, including a wireless
45 network; and

46 (b) (i) has in place a policy of Internet safety, including the operation of a technology
47 protection measure:

48 (A) with respect to any ~~[publicly accessible]~~ computer ~~[with Internet access; and]~~ or
49 other device while connected to the Internet through a network provided by the library,
50 including a wireless network; and

51 (B) that protects against access to visual depictions that are:

52 (I) child pornography; or

53 (II) obscene; and

54 (ii) is enforcing the operation of the technology protection measure described in
55 Subsection (2)(b)(i) during any use of a computer or other device that is connected to the
56 Internet through a network provided by the library, including a wireless network.

57 (3) This section does not prohibit a public library from limiting Internet access or
58 otherwise protecting against materials other than the materials specified in this section.

- 59 (4) An administrator, supervisor, or other representative of a public library may disable
60 a technology protection measure described in Subsection (2):
61 (a) at the request of a library patron who is not a minor; and
62 (b) to enable access for research or other lawful purposes.

Legislative Review Note
Office of Legislative Research and General Counsel