

2003 SESSION

INTRODUCED

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HOUSE BILL NO. 514

Offered January 9, 2002

Prefiled January 8, 2002

A BILL to amend and reenact § 42.1-36.1 of the Code of Virginia, relating to library-owned computers.

Patron—Marrs

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 42.1-36.1 of the Code of Virginia is amended and reenacted as follows:

§ 42.1-36.1. Power and duty of library boards and certain governing bodies regarding acceptable Internet use policies.

A. On or before December 1, 1999, and biennially thereafter, (i) every library board established pursuant to § 42.1-35 or (ii) the governing body of any county, city, or town which, pursuant to § 42.1-36, has not established a library board pursuant to § 42.1-35, shall file with the Librarian of Virginia an acceptable use policy for the international network of computer systems commonly known as the Internet. At a minimum, the policy shall contain provisions ~~which~~~~that~~ (i)(a) are designed to prohibit use by library employees and patrons of the library's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet, ~~(ii)(b)~~ seek to prevent access by library patrons under the age of eighteen to material ~~which~~~~that~~ is harmful to juveniles, and ~~(iii)(c)~~ establish appropriate measures to be taken against persons who violate the policy. The library board or the governing body may include such other terms, conditions, and requirements in the library's policy as it deems appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses between elementary, middle, and high school students. *Any public-owned system that accesses the Internet shall be considered a non-public forum, and accordingly, the library board or the governing body may take such steps as it deems necessary to limit library access to the Internet.*

B. The library board or the governing body shall take such steps as it deems appropriate to implement and enforce the library's policy which may include, but are not limited to, (i) the use of software programs designed to block access by (a) library employees and patrons to illegal material or (b) library patrons under the age of eighteen to material which is harmful to juveniles or (c) both; (ii) charging library employees to casually monitor patrons' Internet use; or (iii) installing privacy screens on computers which access the Internet.

C. On or before December 1, 2000, and biennially thereafter, the Librarian of Virginia shall submit a report to the Chairmen of the House Committee on Education, the House Committee on Science and Technology, and the Senate Committee on Education and Health ~~which~~~~that~~ summarizes the acceptable use policies filed with the Librarian pursuant to this section and the status thereof.

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