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SENATE BILL NO. 176

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on January 31, 2006)

(Patron Prior to Substitute— Senators Wampler and Obenshain [SB 334])

A BILL to amend the Code of Virginia by adding a section numbered 42.1-36.2, relating to establishing a Public Library Internet Protection Fund.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 42.1-36.2 as follows:

§ 42.1-36.2. Public Library Internet Protection Fund established.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Public Library Internet Protection Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Any moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The Fund shall be administered by the Board of the Library of Virginia and moneys in the Fund shall be used solely for the purposes set forth in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Librarian of Virginia or his designee.

B. Disbursements from the Fund may be made by the Board for the following purposes and no others:

1. Grants to any free public library or library system as reimbursement for the initial purchase or subsequent renewal of technology protection measures, as provided in § 42.1-36.1, to be installed on computers that are accessible to the public and have Internet access. For purposes of this section a technology protection measure shall filter or block access through such computers to illegal material, including child pornography and, with respect to minors, materials deemed harmful to juveniles; and

2. Grants to any free public library or library system that is part of a library system with multiple branches as reimbursement for the one-time purchase of hardware needed to initially install technology protection measures.

C. Grants made pursuant to subsection B shall not exceed \$50 per computer for the initial purchase, \$35 per computer for the renewal of software licenses, and \$2,500 per public library system for hardware required for first-time installation of technology protection measures. If the moneys in the Fund are insufficient to provide reimbursement for all grant applications received in any given fiscal year then moneys available in the Fund shall be apportioned first to reimburse new purchases and then on a pro rata basis to reimburse renewals. If moneys are insufficient to reimburse all new purchase grant applications received then moneys available in the Fund shall be apportioned on a pro rata basis to all eligible new purchase applicants.