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HOUSE BILL NO. 1561

Offered January 13, 1999

Prefiled January 12, 1999

A *BILL to amend the Code of Virginia by adding in Chapter 2 of Title 42.1 a section numbered 42.1-45.1, relating to certain public libraries; limiting computer access to obscene material.*

Patron—Black

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 42.1 a section numbered 42.1-45.1 as follows:

§ 42.1-45.1. *Definitions; state-funded libraries to obtain computer hardware and software; receipt of public funds.*

A. *For the purpose of this section:*

"Child pornography" shall have the same meaning as that contained in § 18.2-374.1.

"Harmful to juveniles" shall have the same meaning as that contained in § 18.2-390.

"Information infrastructure" means telecommunications, cable, and computer networks and includes the Internet, the World Wide Web, Usenet, bulletin board systems, on-line systems, and telephone networks, and shall also include interactive computer services as defined in 47 U.S.C. § 230 (e).

"Public, county or regional library" or "library" means those libraries subject to the provisions of this chapter and Chapter 3 (42.1-46 et seq.) of this title, but shall not include the library of any public or private elementary or secondary school within the Commonwealth.

"Obscene" shall have the same meaning as that contained in § 18.2-372.

B. The board, or its equivalent, of any public, county or regional library receiving any funding from the Commonwealth pursuant to Chapter 3 (§ 42.1-46 et seq.) of this title or any other law of the Commonwealth, shall immediately obtain and implement the use of computer hardware and software inhibiting, to the fullest extent possible, library patron access via library computers to obscene materials, child pornography, or materials harmful to juveniles.

C. No library shall receive public funds unless its board certifies annually to the Librarian of Virginia and the Secretary of Finance that computer hardware and software have been installed to inhibit, to the fullest extent possible, library patron access via library computers to obscene materials, child pornography, or materials harmful to juveniles, and that such hardware and software have been kept operational at all times.

INTRODUCED

HB1561