

BILL ANALYSIS

Senate Research Center

H.B. 1300
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Engrossed

DIGEST

Currently, the Internet contains some information of a subject matter inappropriate for children. However, software is available, free of charge, that allows parents to effectively screen Internet access to such material. Some Internet service providers currently provide screening software to their clients. H.B. 1300 would require that all Internet service providers provide easy access to software that will screen material inappropriate for children.

PURPOSE

As proposed, H.B. 1300 outlines provisions and provides a civil penalty regarding the provision of certain software to persons who access the Internet.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 35, Business and Commerce Code, by adding Subchapter I, as follows:

SUBCHAPTER I. PROVISION OF SOFTWARE TO BLOCK OR SCREEN INTERNET MATERIAL

Sec. 35.101. DEFINITIONS. Defines "freeware," "Internet," "interactive computer service," and "shareware."

Sec. 35.102. SOFTWARE THAT RESTRICTS ACCESS TO CERTAIN MATERIAL ON INTERNET. Sets forth requirements and outlines provisions regarding software that restricts access to certain material on the Internet.

Sec. 35.103. CIVIL PENALTY. Provides that a person who violates Section 35.102 is liable to the state for a civil penalty not to exceed \$10,000 for each violation. Authorizes the attorney general to institute a suit to recover the civil penalty.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective to January 1, 1998.

SECTION 3. Emergency clause.