

AN ACT

relating to the eligibility of public schools and libraries for certain funds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 32, Education Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. INTERNET ACCESS

Sec. 32.151. DEFINITIONS. In this subchapter:

(1) "Internet safety policy" means a policy that addresses:

(A) measures designed to restrict access by minors to obscene material on the Internet;

(B) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

(C) unauthorized access and other unlawful activities by minors on-line; and

(D) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

(2) "Obscene" has the meaning assigned by Section 43.21, Penal Code.

Sec. 32.152. LIMITATION ON CERTAIN FUNDS. A public school that provides a computer used to access the Internet is not eligible

1 for a loan or grant under Subchapter C, Chapter 57, Utilities Code,
2 unless the school adopts and implements an Internet safety policy
3 under this section or under the federal Children's Internet
4 Protection Act (Pub. L. 106-554).

5 SECTION 2. Subchapter I, Chapter 441, Government Code, is
6 amended by adding Section 441.1385 to read as follows:

7 Sec. 441.1385. LIMITATION ON CERTAIN FUNDS. (a) In this
8 section:

9 (1) "Internet safety policy" means a policy that
10 addresses:

11 (A) measures designed to restrict access by
12 minors to obscene material on the Internet;

13 (B) the safety and security of minors when using
14 electronic mail, chat rooms, and other forms of direct electronic
15 communications;

16 (C) unauthorized access and other unlawful
17 activities by minors on-line; and

18 (D) unauthorized disclosure, use, and
19 dissemination of personal identification information regarding
20 minors.

21 (2) "Obscene" has the meaning assigned by Section
22 43.21, Penal Code.

23 (b) A public library that provides a computer with Internet
24 access to the public is not eligible for a loan or grant under
25 Subchapter C, Chapter 57, Utilities Code, unless the public library
26 adopts and implements an Internet safety policy.

27 SECTION 3. This Act takes effect September 1, 2003.

David Dewhurst

President of the Senate

Tom Carls

Speaker of the House

I certify that H.B. No. 854 was passed by the House on April 1, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 854 on May 19, 2003, by a non-record vote.

Robert Hanes

Chief Clerk of the House

I certify that H.B. No. 854 was passed by the Senate, with amendments, on May 13, 2003, by the following vote: Yeas 31, Nays 0.

Letsy Spaul

Secretary of the Senate

APPROVED:

2 JUNE 03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE4:35pm O'CLOCK

JUN 02 2003

Lucretia Shear

Secretary of State