

Children's Internet Protection Act; HB 2109

HB 2109 creates the Children's Internet Protection Act, requiring technology protection measures be implemented and enforced at both the school district and public library levels. The bill defines "technology protection measure" as any computer technology or other process that blocks or filters online access to visual depictions. The term "visual depictions" is tied to the definition of the same term contained in the Kansas statute dealing with the crime of sexual exploitation of a child.

School District Requirements

The bill requires any school district that provides public access to a computer to implement technology protection measures to ensure no minor has access to visual depictions that are child pornography, harmful to minors, or obscene. School district boards of education are required to adopt policies to enforce this provision.

Public Library Requirements

Likewise, the bill requires any public library that provides public access to a computer to ensure that no person, whether minor or adult, has access to visual depictions that are child pornography or obscene and, in addition, to ensure that no minor has access to visual depictions that are harmful to minors. The bill permits a public library employee to disable any such technology protection measure if requested to do so by an adult and if the computer, when the measure is disabled, would be used only to enable access for legitimate research or other lawful purpose.

The bill requires the State Librarian to establish standards and promulgate rules and regulations to enforce the Act's provisions for public libraries. Each public library governing body also is required to adopt relevant policy, which must be reviewed at least once every three years and meet specified criteria that include information to patrons on the policy and on procedures available for the submission of related complaints.

Liability

The bill states any school district or public library that is in compliance with the Act will not be liable for any damages arising out of or related to a minor gaining access to the visual depictions the Act seeks to regulate.