
HOUSE BILL No. 1289

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-34-3; IC 20-10.1-34; IC 20-14-14.

Synopsis: Public computers accessible to minors. Requires a school corporation or a public library that provides computer access to minors with the ability to connect to a computer communication system to: (1) equip the computer with software that will limit the ability of a minor to gain access to materials inappropriate for minors; or (2) purchase Internet connectivity from an Internet service provider that provides filter services to limit access to materials inappropriate for minors. Requires a library board or the governing body of a school corporation to hold an annual public meeting to determine how the public library or school corporation will comply with the requirements and to determine what materials are considered inappropriate for minors. Requires the governing body or library board to determine what materials are inappropriate for minors to reflect the community's standards as evidenced during the meeting. Provides that a school corporation or a public library may request a grant from the Indiana technology fund to pay for the costs of purchasing software or purchase Internet connectivity to comply with the requirements of the statute. Requires the request to be approved and the grant to be paid.

Effective: July 1, 2003.

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January 13, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1289



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-34-3-2, AS AMENDED BY P.L.273-1999,
2 SECTION 187, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) Money in the fund shall be
4 allocated annually to libraries, including the INSPIRE project.
5 (b) The Indiana library and historical board established by
6 IC 4-23-7-2 and the budget agency may jointly make rules necessary
7 or appropriate to the administration of this chapter.
8 (c) Each library in Indiana is entitled in each calendar year to apply
9 to the Indiana library and historical board for a grant for a technology
10 project. From time to time, but not more often than semiannually, the
11 Indiana library and historical board shall make recommendations to the
12 budget agency as to grants from the Indiana technology fund. After
13 review by the budget committee established by IC 4-12-1-3 and
14 approval by the governor, the budget agency may allot money to the
15 Indiana library and historical board for the grants.
16 (d) **A public library may make a request for a grant to comply**
17 **with the requirements of IC 20-14-14-2. A grant request from a**



1 **public library under this subsection shall be approved and paid to**
 2 **the public library making the request.**

3 SECTION 2. IC 4-34-3-4, AS AMENDED BY P.L.273-1999,
 4 SECTION 188, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) Money in the fund shall be
 6 allocated annually to the intelenet commission (IC 5-21-2-1) to make
 7 matching grants to school corporations or to make payments directly to
 8 vendors for Internet connections and related equipment for a school
 9 corporation. The intelenet commission shall develop a plan to
 10 implement grants under this section. The budget committee shall
 11 review the plan. The budget agency must approve of the plan.

12 **(b) A school corporation may make a request for a grant to**
 13 **comply with the requirements of IC 20-10.1-34-2. A grant request**
 14 **from a school corporation under this subsection shall be approved**
 15 **and paid to the school corporation making the request.**

16 SECTION 3. IC 20-10.1-34 IS ADDED TO THE INDIANA CODE
 17 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2003]:

19 **Chapter 34. Computer Access by Minors**

20 **Sec. 1. As used in this chapter, "public access computer" means**
 21 **a computer that is:**

- 22 (1) located in a public school;
 23 (2) frequently or regularly used directly by a minor; and
 24 (3) connected to any computer communication system.

25 **Sec. 2. A school corporation that provides a public access**
 26 **computer shall do either or both of the following:**

- 27 (1) Equip the computer with software that will limit the
 28 ability of a minor to gain access to materials determined
 29 under this chapter to be inappropriate for minors.
 30 (2) Purchase Internet connectivity from an Internet service
 31 provider that provides filter services to limit access to
 32 materials determined under this chapter to be inappropriate
 33 for minors.

34 **Sec. 3. (a) At least one (1) time each year, the governing body of**
 35 **a school corporation shall hold a public meeting to determine the**
 36 **following:**

- 37 (1) How the school corporation will comply with the
 38 requirements of section 2 of this chapter.
 39 (2) What materials are considered inappropriate for minors
 40 so that the software or filter used by the school corporation
 41 can be set so as to prevent a minor who uses a public access
 42 computer from gaining access to those materials.



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1 (b) During the public meeting held under this section, the
 2 governing body shall provide reasonable opportunity for full
 3 public testimony on the questions to be determined under
 4 subsection (a).

5 (c) The governing body may adjourn the meeting held under
 6 this section to another date and time announced to the public
 7 before adjournment.

8 (d) At the meeting or an adjourned meeting held under this
 9 section, the governing body shall make the determinations required
 10 by subsection (a) to reflect the community's standards regarding
 11 materials that are inappropriate for minors as evidenced during
 12 the meeting. The governing body shall determine that material that
 13 is unlawful to possess under Indiana law is material inappropriate
 14 for minors.

15 SECTION 4. IC 20-14-14 IS ADDED TO THE INDIANA CODE
 16 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2003]:

18 **Chapter 14. Computer Access by Minors**

19 **Sec. 1. As used in this chapter, "public access computer" means**
 20 **a computer that is:**

- 21 (1) located in a public library;
- 22 (2) frequently or regularly used directly by a minor; and
- 23 (3) connected to any computer communication system.

24 **Sec. 2. A public library that provides a public access computer**
 25 **shall do either or both of the following:**

- 26 (1) Equip the computer with software that will limit the
 27 ability of a minor to gain access to materials determined
 28 under this chapter to be inappropriate for minors.
- 29 (2) Purchase Internet connectivity from an Internet service
 30 provider that provides filter services to limit access to
 31 materials determined under this chapter to be inappropriate
 32 for minors.

33 **Sec. 3. (a) At least one (1) time each year, the library board shall**
 34 **hold a public meeting to determine the following:**

- 35 (1) How the public library will comply with section 2 of this
 36 chapter.
- 37 (2) What materials are considered inappropriate for minors
 38 so that the software or filter used by the public library can be
 39 set so as to prevent a minor who uses a public access
 40 computer from gaining access to those materials.

41 (b) During the public meeting held under this section, the
 42 library board shall provide reasonable opportunity for full public

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1 testimony on the issues to be determined under subsection (a).
2 (c) The library board may adjourn the meeting held under this
3 section to another date and time announced to the public before
4 adjournment.
5 (d) At the meeting or an adjourned meeting held under this
6 section, the library board shall make the determinations required
7 by subsection (a) to reflect the community's standards regarding
8 materials that are inappropriate for minors as evidenced during
9 the meeting. The library board shall determine that material that
10 is unlawful to possess under Indiana law is material inappropriate
11 for minors.

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