

Bill Summary
2nd Session of the 58th Legislature

Bill No.:	SB 1864
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Author:	Sen. Jett
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Bill Analysis

SB 1864 creates the Save Our Children Act. The measure requires any retailer or manufacturer engaged in the business of selling or distributing Internet-enabled devices to ensure such products are equipped with an active and operating filter prior to sale that blocks by default websites that are known to facilitate human trafficking or prostitution or display child pornography. Entities listed in the measure shall be subject to a fine of \$500.00 for a first offense and \$1,000.00 for second and subsequent offenses. Such entities must ensure the device functions properly, establish reporting mechanisms, report child pornography, and not block access to certain site outlined in the measure. Retailers must deactivate the device upon the request of a user 18 years of age and older after providing the user with a warning regarding the potential danger of deactivating the filter. The measure directs the Attorney General to prepare and make available to retailers a form that includes all content that must be in the warning. The measure provides that if the filter blocks a website not listed in the measure, such a website must be unblocked within 5 days of the reported error. A consumer or the Attorney General may seek judicial relief to unblock a website that was wrongfully blocked by the filter. The prevailing party in a civil litigation may seek attorney fees, costs, and other forms of relief. Monetary damages of up to \$500.00 per website blocked may be awarded as well.

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