

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 671, Page 20, Section 208.909, Line 124,

2 by inserting after all of said line the following:

3 "407.1600. 1. This section shall be known and may be
4 cited as the "Protect Young Minds Online Act".

5 2. For the purposes of this section, the following
6 terms shall mean:

7 (1) "Authentication", the means by which a subscriber
8 or user designated by the subscriber enters verification to
9 access obscene websites, either by password or other account
10 verification through the internet service provider;

11 (2) "Internet service provider", a business or a
12 person engaged in the business of providing access to the
13 internet with the intent of making a profit;

14 (3) "Obscene", material or internet content which is
15 or contains child pornography, explicit sexual material,
16 sadomasochistic abuse, sexual conduct, sexually explicit
17 conduct, or sexual performance as those terms are defined in
18 section 573.010. "Obscene" shall also have the same meaning
19 as used in section 573.010;

20 (4) "Subscriber", a person or business that has
21 entered into an agreement with an internet service provider
22 to gain access to the internet, including wirelessly, for
23 residential access or to provide public access through a
24 business or if the business employs persons under the age of
25 eighteen who have access to the internet.

26 3. An internet service provider, when entering into an
27 agreement with subscribers, as defined in subsection 2 of
28 this section, residing in Missouri, for residential use or
29 for business use with the intent to use the service to
30 provide public or private access, shall authenticate access
31 to obscene websites as set forth in subsections 4 to 8 of
32 this section.

33 4. An internet service provider shall redirect an
34 obscene website to a web page that:

35 (1) Notifies the subscriber that the website has been
36 delayed for authentication pursuant to this section; and

37 (2) Provides the subscriber the ability to enter
38 authentication in order to gain access to the obscene
39 website.

40 5. An internet service provider shall allow a
41 subscriber to gain access to an obscene website only by the
42 use of authentication.

43 (1) An internet service provider shall provide
44 subscribers eighteen years of age or older a mechanism to
45 create a secure authentication in accordance with industry
46 standards for the purpose of allowing the subscriber to
47 access obscene websites.

48 (2) Any information collected from the use of
49 authentication shall be used only for the implementation of
50 this section.

51 6. Authentication shall be required at each attempt to
52 access an obscene website, and an internet service provider
53 shall not provide a mechanism for the authentication to be
54 remembered beyond a time out value of five minutes. The
55 authentication shall be changed every three months.

56 7. An internet service provider shall provide to their
57 subscribers who are eighteen years of age or older, either
58 in writing or electronically, information about this section

59 and how to create an authentication. Such communication
60 shall be done upon the effective date of this section or
61 when a person enters into an agreement with the internet
62 service provider for internet service. Information shall
63 include, but is not limited to, a brief description of the
64 law requiring authentication to access obscene websites, the
65 procedure for creating, recovering, and updating the
66 authentication requiring multi-factor authentication for the
67 account holder, and the penalty for individuals who
68 knowingly share the authentication with minors under the age
69 of eighteen which results in the exposure of minors to
70 pornographic material pursuant to section 573.040.

71 8. The internet service provider shall use a DNS-based
72 system that may be used through an independent third party
73 such as: Open DNS, Cisco Umbrella, or other current
74 industry standard of website filtering as the method of
75 redirecting obscene websites for adult access only, and this
76 service shall also stay updated according to industry
77 standards in order to maintain the current listing of
78 websites deemed obscene. The DNS-based system shall also
79 include the ability to update or correct mischaracterized
80 websites.

81 9. An internet service provider is not liable for any
82 penalty in this section if the provider makes a good faith
83 effort to apply a generally accepted and commercially
84 reasonable method of compliance in accordance with
85 subsection 3 of this section and that such method or
86 technology has the ability to discover and authenticate new
87 obscene websites and fulfills the requirements of this
88 section.

89 10. A subscriber that knowingly provides a minor with
90 his or her authentication in order to access an obscene
91 website shall be guilty of a class A misdemeanor.

92 11. The attorney general may seek injunctive and other
93 equitable relief against an internet service provider that
94 fails to comply with the provisions of this section."; and
95 Further amend the title and enacting clause accordingly.