

By: Shaheen

H.B. No. 2174

Substitute the following for H.B. No. 2174:

By: Schofield

C.S.H.B. No. 2174

A BILL TO BE ENTITLED

AN ACT

relating to restricting access to pornographic materials on certain websites and creating civil liability for certain actions that allow children to access pornographic materials.

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

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 129B to read as follows:

CHAPTER 129B. LIABILITY FOR ALLOWING CHILDREN TO ACCESS

PORNOGRAPHIC MATERIAL

Sec. 129B.0001. LIABILITY FOR OWNERS OF INTERNET WEBSITES.

(a) In this section, "organization" has the meaning assigned by Section 1.002, Business Organizations Code.

(b) An organization that owns an Internet website, including an organization that owns a social media Internet website, must include a mechanism on the website that prevents a user from accessing pornographic material on the website unless the user verifies that the user is 13 years of age or older.

(c) An organization may be held liable for damages if the organization does not include a mechanism described by Subsection (b) on the organization's Internet website.

Sec. 129B.0002. LIABILITY FOR PERSONS WHO UPLOAD PORNOGRAPHIC MATERIAL. A person who uploads pornographic material to an Internet website may be held liable for damages if an individual younger than 13 years of age accesses the material on the

1 website.

2 SECTION 2. Chapter 129B, Civil Practice and Remedies Code,
3 as added by this Act, applies only to a cause of action that accrues
4 on or after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2021.