

BILL ANALYSIS

C.S.H.B. 3314
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The state currently offers internet access to the public on certain state properties. An example of an area where the state offers this access is roadside parks, sometimes for a small fee. Access at these locations is currently not filtered to prevent obscene materials from being viewed. It poses a risk to society to allow potential predators to have access to this material at public places such as our state's roadside parks where potential victims stop constantly.

CSHB 3314 would protect the citizens of Texas from this type of threat by preventing the state from allowing obscene material to be transmitted through state sponsored internet servers.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Chapter 2054 of the Government Code by adding Section 2054.124 which relates to internet access to obscene materials. Defines "obscene" and "material." Prohibits access to obscene materials through the use of internet access provided by a state agency to the public on state property. Requires that the Department of Information Resources assist state agencies in prohibiting access under this section including prohibiting access by using a filter or other software. CSHB 3314 does not apply to university systems or institutions of higher education.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 3314 removes language that was in HB 3314 relating to correctional facilities and also removes references to "wireless internet access," changing to the broader "internet access"

CSHB 3314 states that this bill applies to internet access provided to the public on state property.

CSHB 3314 removes provisions in HB 3314 that dealt with correctional facilities.

CSHB 3314 removes Section 2 of HB 3314 that addressed internet access to obscene materials in county jails.