

By: Brown of Kaufman

H.B. No. 3314

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting wireless Internet access to obscene
3 materials on public property.

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

5 SECTION 1. Subchapter F, Chapter 2054, Government Code, is
6 amended by adding Section 2054.124 to read as follows:

7 Sec. 2054.124. WIRELESS INTERNET ACCESS TO OBSCENE
8 MATERIALS. (a) In this section:

9 (1) "Correctional facility" has the meaning assigned
10 by Section 1.07(14), Penal Code.

11 (2) "Obscene" and "material" have the meanings
12 assigned by Section 43.21, Penal Code.

13 (b) A state agency that provides wireless Internet access on
14 state property may not allow access to obscene materials through
15 the use of that wireless access.

16 (c) The department shall assist a state agency that requests
17 assistance in prohibiting access under this section, including
18 prohibiting access by using a filter or other software.

19 (d) Wireless Internet access to obscene materials is
20 prohibited at a correctional facility that is owned by, or operated
21 by or for, the state.

22 (e) This section does not apply to a university system or
23 institution of higher education as defined by Section 61.003,
24 Education Code.

1 SECTION 2. Subchapter C, Chapter 351, Local Government
2 Code, is amended by adding Section 351.045 to read as follows:

3 Sec. 351.045. WIRELESS INTERNET ACCESS TO OBSCENE
4 MATERIALS. The sheriff may ban or otherwise filter wireless
5 Internet access to obscene materials, as defined by Section 43.21,
6 Penal Code, in the county jail.

7 SECTION 3. This Act takes effect September 1, 2005.