

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 266**

September 16, 1999 – Offered by Representative HUEBSCH.

1     **AN ACT** *to amend* 44.72 (2) (d) and 119.04 (1); and *to create* 120.12 (26), 196.218  
2           (4r) (a) 1m. and 1s. and 196.218 (4r) (i) of the statutes; **relating to:** requiring  
3           certain school boards and districts to provide Internet management software  
4           or services on computers connected to the Internet.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

5           **SECTION 1.** 44.72 (2) (d) of the statutes is amended to read:

6           44.72 (2) (d) A school district receiving a grant under par. (a) or (b) shall deposit  
7           the moneys in a separate fund. The moneys may be used for any purpose related to  
8           educational technology, including obtaining the Internet management software or  
9           services specified in s. 196.218 (4r) (i), except that a school district may not use the  
10          moneys to pay the salary or benefits of any school district employe.

11          **SECTION 2.** 119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 77, is  
12          amended to read:

1           119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
2           115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
3           (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,  
4           118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,  
5           118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30  
6           to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1),  
7           (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a  
8           1st class city school district and board.

9           **SECTION 3.** 120.12 (26) of the statutes is created to read:

10           120.12 **(26)** INTERNET MANAGEMENT SOFTWARE AND SERVICES. (a) In this  
11           subsection:

12           1. “Harmful to children” means that quality of any description, narrative  
13           account or representation, in whatever form, of nudity, as defined in s. 948.11 (1) (d),  
14           sexually explicit conduct, sexual excitement, as defined in s. 948.11 (1) (f),  
15           sodomasochistic abuse, physical torture or brutality, when it does all of the following:

16           a. Predominantly appeals to the prurient, shameful or morbid interest of  
17           children.

18           b. Is patently offensive to prevailing standards in the adult community as a  
19           whole with respect to what is suitable for children.

20           c. Lacks serious literary, artistic, political, scientific or educational value for  
21           children, when taken as a whole.

22           2. “Internet management software or services” means software or services that  
23           are used to filter or block access to material on the Internet that is harmful to  
24           children.

1 (b) Provide Internet management software or services on all computers that  
2 are owned by the school board, connected to the Internet and used by pupils.

3 **SECTION 4.** 196.218 (4r) (a) 1m. and 1s. of the statutes are created to read:

4 196.218 (4r) (a) 1m. “Harmful to children” means that quality of any  
5 description, narrative account or representation, in whatever form, of nudity, as  
6 defined in s. 948.11 (1) (d), sexually explicit conduct, sexual excitement, as defined  
7 in s. 948.11 (1) (f), sadomasochistic abuse, physical torture or brutality, when it does  
8 all of the following:

9 a. Predominantly appeals to the prurient, shameful or morbid interest of  
10 children.

11 b. Is patently offensive to prevailing standards in the adult community as a  
12 whole with respect to what is suitable for children.

13 c. Lacks serious literary, artistic, political, scientific or educational value for  
14 children, when taken as a whole.

15 1s. “Internet management software or services” means software or services  
16 that are used to filter or block access to material on the Internet that is harmful to  
17 children.

18 **SECTION 5.** 196.218 (4r) (i) of the statutes is created to read:

19 196.218 (4r) (i) A school district is not eligible to participate in the program  
20 established under under par. (b) or to receive a grant under par. (g) unless the school  
21 district provides Internet management software or services on all computers that are  
22 owned by the school district, connected to the Internet and used by pupils.

23 **SECTION 6. Effective date.**

