

Fiscal Estimate Narratives

DPI 3/24/2022

LRB Number	21-6254/1	Introduction Number	SB-1102	Estimate Type	Original
Description pupil or minor access to harmful material in public libraries and public schools					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires public libraries and public schools, including charter schools, to take steps to prevent pupils and minors from accessing harmful material on computers. Under the bill, "harmful material" is defined as 1) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body that depicts nudity, sexually explicit conduct, sadomasochistic abuse, physical torture, or brutality and that is harmful to children; or 2) any book, pamphlet, magazine, printed matter however reproduced or recording that contains matter described in item 1, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexually explicit conduct, sadomasochistic abuse, physical torture, or brutality and that, taken as a whole, is harmful to children.

The bill requires any public library that provides a public access computer and any school board or independent charter school to do at least one of the following with respect to the public access computer or school computer to which pupils and minors have access: 1) equip the computer with software that will limit a pupil's or minor's ability to gain access to harmful material; 2) purchase Internet connectivity from an Internet service provider that provides filter services to limit access to harmful material; or 3) develop and implement a policy that establishes measures to keep pupils and minors from gaining access to harmful material. Under the bill, a public library or public school may allow a pupil or minor to access harmful material on the Internet if the parent or guardian of the pupil or minor consents to that access.

The bill also provides that, if a public school pupil will view or otherwise have access to harmful material as part of classroom instruction, the school must provide the parent or guardian of the pupil with an outline of the curriculum and a summary of the instructional materials that contain the harmful material, information regarding how the parent or guardian may inspect the complete curriculum and instructional materials, and an explanation of the exemption available to parents and guardians under the bill.

The bill requires each public school to make the complete curriculum and all instructional materials available for inspection by parents or guardians upon request. Under the bill, no pupil may be required to take any such instruction if the pupil's parent or guardian files with the teacher or school principal a written request that the pupil be exempted. Finally, the bill provides that no public school or public school employee may show or provide to any pupil harmful material for which the school did not follow the requirements under the bill regarding parental notice and opportunity to exempt pupil participation.

State: None

Local: Under this bill public schools and libraries may potentially incur additional costs for the purchase of new computer software, changing internet service providers, and developing and implementing policies related to pupil access. In addition, public schools and libraries would likely need to direct additional staff time and resources towards providing the specified information required under the bill to parents and guardians. Since the costs and current status of existing computer software, Internet Service providers and pupil access policies would vary among the state's public schools and libraries, the costs would vary and are indeterminate.

Long-Range Fiscal Implications