



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3289

Introduced 2/24/2011, by Rep. Sidney H. Mathias - Dwight Kay

SYNOPSIS AS INTRODUCED:

New Act

Creates the Online Child Safety Act. Provides that an Internet access provider must make available to each subscriber in this State a parental control that controls a child's access to the Internet. Sets forth requirements for parental controls. Provides that an Internet access provider must make a parental control available to a subscriber at or near the time of subscription. Provides that an Internet access provider may make a parental control available to a subscriber either directly or through a link to a third party. Provides that an Internet access provider or third party may charge for a parental control provided to a subscriber. Effective immediately.

LRB097 08259 AEK 48385 b

1 AN ACT concerning the Internet.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Online
5 Child Safety Act.

6 Section 5. Legislative intent. It is the intent of the
7 General Assembly that this Act promote the dissemination of
8 qualifying parental controls for the protection of children in
9 this State subject to appropriate and beneficial oversight by
10 their parents and families.

11 Section 10. Applicability. This Act applies to every
12 Internet access provider that knows or has reason to know that
13 a subscriber currently resides in this State.

14 Section 15. Definitions. In this Act:

15 "Child" means an individual under the age of 18 years.

16 "Computer network" means the computer network commonly
17 known as the Internet and any other local, regional, or global
18 computer network that is similar to or is a predecessor of or
19 successor to the Internet.

20 "Interactive computer service" means an information
21 service, system, or access software provider that provides or

1 enables computer access by multiple users to a computer
2 service. "Interactive computer service" includes a service or
3 system that provides access to the Internet and systems
4 operated or services offered by a library or educational
5 institution.

6 "Internet" means the international computer network of
7 both federal and nonfederal interoperable packet-switched data
8 networks.

9 "Internet access provider" means a provider that offers
10 directly to residential customers an interactive computer
11 service to obtain access to the Internet in exchange for
12 consideration, such as through a paid subscription or through
13 an agreement to view specific advertising or other content.

14 "Internet access provider" does not include a library or
15 educational institution that operates or offers an interactive
16 computer service to obtain access to the Internet.

17 "Parental control" means a product or service to control a
18 child's access to the Internet.

19 Section 20. Parental controls required.

20 (a) An Internet access provider must make a parental
21 control that satisfies the requirements of this Section
22 available to each subscriber in this State. An Internet access
23 provider is not, however, required to provide a parental
24 control that is not reasonably and commercially available for
25 the technology that a subscriber uses to obtain access to the

1 Internet.

2 (b) A parental control must allow a subscriber, in a
3 commercially reasonable manner, to do one of the following:

4 (1) Block a child's access to websites by specifying
5 prohibited websites or by selecting a category of sites to
6 block.

7 (2) Restrict a child's access exclusively to websites
8 that the subscriber approves or a category of websites that
9 the subscriber approves.

10 Section 25. Parental controls; availability; charge.

11 (a) An Internet access provider must make the parental
12 control required under Section 20 available to a subscriber at
13 or near the time of subscription.

14 (b) An Internet access provider may make the parental
15 control required under Section 20 available to a subscriber
16 either directly or through a link to a third party.

17 (c) An Internet access provider or third party may charge
18 for any parental control provided to a subscriber.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.