

2018 Regular Session

SENATE BILL NO. 391

BY SENATOR MIZELL

STATE AGENCIES. To require state agencies to install internet filters to block content which is obscene or sexually harassing and which create a hostile work environment. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 39:15.3(B)(1)(e) and to enact R.S. 39:15.3(F), relative to sexual  
3 harassment prevention; to require the Department of Civil Service to adopt certain  
4 policies regarding access by state employees to certain internet and online sites; to  
5 identity and require certain filters; to block certain internet content; to provide  
6 certain exceptions; to provide clarifications; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:15.3(B)(1)(e) is hereby amended and reenacted and R.S.  
9 39:15.3(F) is hereby enacted to read as follows:

10 §15.3. Office of technology services; offices and staff; duties

11 \* \* \*

12 B. The state chief information officer shall manage and direct the office of  
13 technology services, with roles, duties, and activities including but not limited to the  
14 following:

15 (1) Establishing and coordinating all information technology systems and  
16 information technology services affecting the management and operations of the  
17 executive branch of state government. The office of technology services shall,

1 subject to the provisions of this Subpart, have sole authority and responsibility for  
2 defining the specific information technology systems and information technology  
3 services to which the provisions of this Subpart shall be applicable. Information  
4 technology systems, including equipment and related services, and information  
5 technology services shall mean the equipment, ~~and~~ services and means necessary to  
6 provide, including but not limited to the following:

7 \* \* \*

8 (e) Information technology security systems and services, including the  
9 security systems required in Subsection F of this Section.

10 \* \* \*

11 F.(1) The office of technology services shall adopt policies regarding the  
12 acceptable use by state employees, using state owned computers, to access the  
13 internet and online sites that contain or make reference to harmful material, the  
14 character of which is such that it is reasonably believed to be obscene,  
15 pervasively vulgar, pornographic, or sexually harassing and, therefore,  
16 reasonably believed to create a hostile work environment as defined by  
17 applicable state or federal laws.

18 (2) Any policies adopted by the office of technology services pursuant to  
19 the provisions of this Section shall include the use of computer-related  
20 technology or the use of internet service provider technology designed to block  
21 access or exposure to any harmful material as specified in Paragraph (1) of this  
22 Subsection.

23 (3) The provisions of this Subsection shall not prohibit any authorized  
24 employee from having unfiltered or unrestricted access to the internet or an  
25 online service for legitimate scientific purposes, educational purposes, or law  
26 enforcement purposes as determined and approved by the employee's agency  
27 and in compliance with the policies adopted by the office of technology services  
28 pursuant to this Section.

29 (4) The provisions of this Subsection are not intended to prohibit any

1           state employee from having unfiltered or unrestricted access to the internet or  
 2           any online service on a computer or device that is not owned by the state, so  
 3           long as the unrestricted device is not used to access or for exposure to any  
 4           harmful material as specified in Paragraph (1) of this Subsection while the  
 5           employee is in the course and scope of his state employment.

The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tim Prather.

DIGEST

SB 391 Engrossed

2018 Regular Session

Mizell

Proposed law requires the office of technology services to adopt policies regarding the acceptable use by state employees using state owned computers, to access the internet and online sites that contain or make reference to harmful material, the character of which is such that it is reasonably believed to be obscene, pervasively vulgar, pornographic, or sexually harassing so as to reasonably create a hostile work environment as defined by any applicable state or federal laws.

Proposed law provides that the policies adopted by the office of technology services include the use of computer-related technology or the use of internet service provider technology designed to block access or exposure to any harmful material as specified in proposed law.

Proposed law specifies that proposed law does not prohibit any authorized employee from having unfiltered or unrestricted access to the internet or an online service for law enforcement, legitimate scientific, or educational purposes as determined and approved by the employing agency.

Proposed law clarifies that the provisions of proposed law do not prohibit any state employee from having unfiltered or unrestricted access to the internet or any online service on a computer or device that is not owned by the state, so long as the unrestricted device is not used to access or for exposure to any harmful material during the hours in which he is working for the state.

Effective August 1, 2018.

(Amends R.S. 39:15.3(B)(1)(e); adds R.S. 39:15.3(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Changes control of the program from the Dept. of State Civil Service to the office of technology services.