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 J. W. Wiley.

# DIGEST

SB 391 Re-Reengrossed

# 2018 Regular Session

Mizell

Proposed law requires the division of administration to adopt policies regarding the acceptable use by state employees who use state-owned or state-leased computers to access the internet and online sites that contain harmful material which is reasonably believed to be sexuality explicit, pornographic, or sexually harassing and, therefore, reasonably believed to create a hostile work environment as prohibited by federal law.

Proposed law provides that it shall apply to state-owned or state-leased computers which are in the care, custody, or control of the division of administration or in the care, custody, or control of any other state agency which is subject to present laws regarding the office of technology services in the division of administration.

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. 39:249)

#### 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.

## Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

- 1. Changes who <u>proposed law</u> applies to <u>from</u> state employees using state- owned computers <u>to</u> state-owned or state-leased computers which are in the care, custody, or control of the division of administration or in the care, custody, or control of any other state agency which is subject to <u>present law</u> regarding the office of technology services in the division of administration.
- 2. Changes the description of harmful material <u>from</u> obscene, pervasively vulgar, pornographic, or sexually harassing to sexually explicit, pornographic, or sexually harassing.

#### Senate Floor Amendments to reengrossed bill

- 1. Makes technical changes.
- 2. Changes "state owned or state leased" to "state-owned or state-leased".