

2018 Regular Session

SENATE BILL NO. 250

BY SENATOR MIZELL

SCHOOLS. To require that parents be provided with information regarding the public health risk associated with pornography and access to information on prevention. (8/1/18)

AN ACT

To amend and reenact R.S. 17:100.7, relative to public elementary and secondary schools; to require the state Department of Education to produce a handout containing information regarding the public health risks associated with pornography; to require distribution of this information to the parents of public school students; to provide for legislative intent; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:100.7 is hereby amended and reenacted to read as follows:

§100.7. Policies; governing authorities of public elementary and secondary schools; Internet and online sites; access by students and employees; **resources for parents;** exceptions

A.**(1)** Each governing authority of a public elementary or secondary school shall adopt policies, in accordance with all applicable state and federal laws, regarding access by students and employees to 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, child pornography, conducive to the creation of a hostile or dangerous school environment, pervasively vulgar, excessively violent,

1 or sexually harassing in the school environment all as defined by any applicable state
2 or federal laws and the policies adopted pursuant to this Subsection. Such policies
3 shall include but not be limited to prohibitions against accessing sites containing
4 information on the manufacturing or production of bombs or other incendiary
5 devices.

6 ~~B.(2)~~ Any policies adopted by a governing authority of a public elementary
7 or secondary school pursuant to the provisions of this ~~Section~~ **Subsection** shall
8 include the use of computer-related technology or the use of Internet service provider
9 technology designed to block access or exposure to any harmful material as specified
10 in Subsection A of this Section, or both.

11 ~~C.(3)~~ The provisions of this ~~Section~~ **Subsection** shall not prohibit any
12 authorized employee or student of a public elementary or secondary school from
13 having unfiltered or unrestricted access to the Internet or an online service for
14 legitimate scientific or educational purposes as determined and approved by the
15 employing governing authority.

16 ~~D.(4)~~ The provisions of this ~~Section~~ **Subsection** shall not prohibit any
17 authorized student in a public elementary or secondary school from having unfiltered
18 or unrestricted access to the Internet or online services of a newspaper with a daily
19 circulation of at least one thousand.

20 **B.(1)(a) The state Department of Education shall compile a handout**
21 **regarding the public health risks and harms associated with pornography.**

22 **(b) The handout shall include the following information:**

23 **(i) The dangers of sexually charged cyberbullying.**

24 **(ii) The addictive and destructive nature of pornographic and illicit**
25 **materials.**

26 **(iii) The dangers of internet interaction with strangers.**

27 **(iv) Resources available to parents who are seeking information**
28 **regarding child safeguards and free internet filters for home computers. A list**
29 **of free internet filters that filter out pornography, including but not limited to**

1 filters found at www.netsmartz.org shall also be provided.

2 (2) The department shall disseminate the handout available to the
3 governing authority of each public elementary and secondary school for
4 distribution to the parent of each student enrolled in a school under its
5 jurisdiction.

6 Section 2. The legislature finds the following:

7 (1) Pornography is contributing to the hypersexualization of teens and even
8 prepubescent children in our society. Pornography is creating a public health crisis because
9 pornography perpetuates a sexually toxic environment and encourages sexual harassment
10 among teens.

11 (2) Efforts to prevent pornography exposure and addiction, to educate individuals and
12 families concerning its harmful effects, and to develop recovery programs must be addressed
13 systemically in ways that hold providers of pornography accountable.

14 (3) Due to the advances in technology and the universal availability of the internet,
15 young children are exposed to what used to be referred to as hardcore pornography, but is
16 now considered mainstream pornography and the average age of exposure to pornography
17 is now eleven-to-twelve years of age. This early exposure to pornography is leading to low
18 self-esteem and body-image disorders, an increase in problematic sexual activity at younger
19 ages, and an increased desire among adolescents to engage in risky sexual behavior.

20 (4) Because pornography treats women as objects and commodities for the use of the
21 viewer, it teaches girls they are to be used and teaches boys to be users. Pornography
22 normalizes violence and abuse of women and children. Pornography treats women and
23 children as objects and often depicts rape and abuse as if such acts are harmless.
24 Pornography equates violence towards women and children with sex, and pain with pleasure,
25 which increases the demand for sex trafficking, prostitution, child sexual abuse images, and
26 child pornography.

27 (5) Potential detrimental effects on users of pornography can impact brain
28 development and functioning, contribute to emotional and medical illnesses, shape deviant
29 sexual arousal and lead to difficulty in forming or maintaining positive, intimate

relationships, as well as promoting problematic or harmful sexual behaviors and addiction. Recent neurological research indicates that pornography is potentially biologically addictive, which means the user requires more novelty, often in the form of more shocking material, in order to be satisfied. This biological addiction leads to increasing themes of risky sexual behaviors, extreme degradation, violence, and child sexual abuse images and child pornography.

(6) The need for education, prevention, research, and policy change at the community and societal levels must be instituted in order to address the pornography epidemic that is harming the young people of our state and nation.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

	DIGEST	
SB 250 Original	2018 Regular Session	Mizell

Present law requires each governing authority of a public elementary or secondary school to adopt policies, in accordance with all applicable state and federal laws, regarding access by students and employees to internet and online sites on school computers that contain or make reference to harmful material, the character of which is such that it is reasonably believed to be obscene or child pornography, conducive to the creation of a hostile or dangerous school environment, pervasively vulgar, excessively violent, or sexually harassing in the school environment, all as defined by any applicable state or federal laws and the policy adopted. Present law specifies that such policies shall include prohibitions against accessing sites containing information on the manufacturing or production of bombs or other incendiary devices.

Proposed law retains present law and additionally requires the state Dept. of Education (DOE) to compile a handout regarding the public health risks and harms associated with pornography.

Proposed law specifies that the handout shall include the following information:

- (1) The dangers of sexually charged cyberbullying.
- (2) The addictive and destructive nature of pornographic and illicit materials.
- (3) The dangers of internet interaction with strangers.
- (4) Resources available to parents seeking information related to child safeguards and free internet filters for home computers. A list of free internet filters which filter out pornography, including but not limited to such filters found at www.netsmartz.org shall also be provided.

Proposed law requires DOE to disseminate the handout to the governing authority of each public elementary or secondary school for distribution to the parent of each student enrolled in a school under its jurisdiction.

Proposed law provides legislative intent as follows:

- (1) Pornography is contributing to the hypersexualization of teens and even prepubescent children in our society. Pornography is creating a public health crisis because pornography perpetuates a sexually toxic environment and encourages sexual harassment among teens.
- (2) Efforts to prevent pornography exposure and addiction, to educate individuals and families concerning its harmful effects, and to develop recovery programs must be addressed systemically in ways that hold providers of pornography accountable.
- (3) Due to the advances in technology and the universal availability of the internet, young children are exposed to what used to be referred to as hardcore pornography, but is now considered mainstream pornography and the average age of exposure to pornography is now eleven-to-twelve years of age. This early exposure to pornography is leading to low self-esteem and body-image disorders, an increase in problematic sexual activity at younger ages, and an increased desire among adolescents to engage in risky sexual behavior.
- (4) Because pornography treats women as objects and commodities for the use of the viewer, it teaches girls they are to be used and teaches boys to be users. Pornography normalizes violence and abuse of women and children. Pornography treats women and children as objects and often depicts rape and abuse as if such acts are harmless. Pornography equates violence towards women and children with sex, and pain with pleasure, which increases the demand for sex trafficking, prostitution, child sexual abuse images, and child pornography.
- (5) Potential detrimental effects on users of pornography can impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, and lead to difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction. Recent neurological research indicates that pornography is potentially biologically addictive, which means the user requires more novelty, often in the form of more shocking material, in order to be satisfied. This biological addiction leads to increasing themes of risky sexual behaviors, extreme degradation, violence, and child sexual abuse images and child pornography.
- (6) The need for education, prevention, research, and policy change at the community and societal levels must be instituted in order to address the pornography epidemic that is harming the young people of our state and nation.

Effective August 1, 2018.

(Amends R.S. 17:100.7)