

## RÉSUMÉ DIGEST

**ACT 187 (HB 153)**

**2015 Regular Session**

**Tim Burns**

New law creates the crime of unlawful distribution of material harmful to minors through the Internet, providing that any person or entity in La. that publishes material harmful to minors on the Internet shall, prior to permitting access to such material, require any person attempting to access such material to acknowledge that the person is 18 years of age or older.

New law provides that if the person seeking to access such material is under the age of 18 and falsely acknowledges that he is 18 years of age or older, the person or entity in La. that publishes material harmful to minors on the Internet and who complies with the requirements set forth in new law shall not be held liable for this offense.

New law provides exceptions for the following:

- (1) Internet service provider, interactive computer service provider as defined by federal law (47 U.S.C. 230(f)), or radio or television broadcast licensee of the Federal Communications Commission for material harmful to minors that is provided by another person.
- (2) Material that is a bona fide news or public interest broadcast, website, video, report, or event.

Provides that the provisions of new law do not affect the rights of any news-gathering organization.

New law provides for definitions of "descriptions or depictions of illicit sex or sexual immorality", "material harmful to minors", and "news-gathering organization".

Provides that whoever violates the provisions of new law shall be fined up to \$10,000.

Effective August 1, 2015.

(Adds R.S. 14:91.14)