

1 AVAILABLE TO THE SUBSCRIBER A PRODUCT OR SERVICE WHICH THE PROVIDER
2 REASONABLY BELIEVES MAY ASSIST THE SUBSCRIBER TO CONTROL A CHILD'S USE
3 OF THE INTERNET; PROVIDED HOWEVER, THAT INTERNET ACCESS PROVIDERS THAT
4 PROVIDE INTERNET ACCESS VIA SPECTRUM REGULATED BY THE FCC, PURSUANT TO
5 47 USC 301 ET SEQ OR ITS SUCCESSORS, SHALL MEET THE REQUIREMENTS OF THIS
6 SECTION WHEN SUCH TECHNOLOGY IS REASONABLY AND COMMERCIALY AVAILABLE.
7 THE PRODUCT OR SERVICE MUST ENABLE, IN A COMMERCIALY REASONABLE MANNER,
8 THE SUBSCRIBER TO:
9 (A) BLOCK A CHILD'S ACCESS TO SPECIFIC WEBSITES OR DOMAINS;
10 (B) RESTRICT A CHILD'S ACCESS EXCLUSIVELY TO SPECIFIC WEBSITES OR
11 DOMAINS APPROVED BY THE SUBSCRIBER; AND
12 (C) ALLOW THE SUBSCRIBER TO MONITOR A CHILD'S USE OF THE INTERNET
13 SERVICE BY PROVIDING A REPORT TO THE SUBSCRIBER OF THE SPECIFIC WEBSITES
14 OR DOMAINS THAT THE CHILD HAS VISITED OR HAS ATTEMPTED TO VISIT BUT
15 COULD NOT ACCESS BECAUSE THE WEBSITES OR DOMAINS WERE BLOCKED OR
16 RESTRICTED BY THE SUBSCRIBER.
17 2. IF A PRODUCT OR SERVICE DESCRIBED IN THIS SECTION IS REASONABLY AND
18 COMMERCIALY AVAILABLE FOR THE TECHNOLOGY UTILIZED BY THE SUBSCRIBER TO
19 ACCESS THE INTERNET SERVICE, THE PROVIDER OF INTERNET SERVICE:
20 (A) SHALL PROVIDE TO THE SUBSCRIBER, AT OR NEAR THE TIME OF
21 SUBSCRIPTION, NOTICE OF THE AVAILABILITY OF A PRODUCT OR SERVICE
22 DESCRIBED IN SUBDIVISION ONE OF THIS SECTION.
23 (B) MAY MAKE A PRODUCT OR SERVICE DESCRIBED IN SUBDIVISION ONE OF THIS
24 SECTION AVAILABLE TO THE SUBSCRIBER EITHER DIRECTLY OR THROUGH A THIRD-
25 PARTY VENDOR, AND MAY CHARGE FOR THE PRODUCT OR SERVICE.
26 S 302. ENFORCEMENT. 1. THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION
27 AGAINST ANY INTERNET ACCESS PROVIDER THAT VIOLATES THIS ARTICLE TO
28 ENJOIN THE VIOLATION AND MAY RECOVER A CIVIL PENALTY OF UP TO ONE
29 HUNDRED DOLLARS PER VIOLATION OF THIS ARTICLE OR, FOR A PATTERN OR PRAC-
30 TICE OF SUCH VIOLATIONS, OF UP TO ONE THOUSAND DOLLARS PER VIOLATION.
31 2. NOTHING IN THIS SECTION SHALL IN ANY WAY LIMIT RIGHTS OR REMEDIES
32 WHICH ARE OTHERWISE AVAILABLE UNDER LAW TO THE ATTORNEY GENERAL OR ANY
33 OTHER PERSON AUTHORIZED TO BRING AN ACTION UNDER THIS SECTION.
34 S 2. This act shall take effect on the one hundred eightieth day after
35 it shall have become a law.