

1 all the resources comply with the provisions of subsection B of this
2 section.

3 B. Digital or online library database resources offered by
4 school districts, charter schools, virtual charter schools, state
5 agencies, public libraries, or universities to students in
6 kindergarten through twelfth grade shall have safety policies and
7 technology protection measures that:

8 1. Prohibit and prevent a user of the resource from sending,
9 receiving, viewing, or downloading materials that are child
10 pornography or obscene materials, as defined in Section 1024.1 of
11 Title 21 of the Oklahoma Statutes, or materials that depict child
12 sexual exploitation, as defined in Section 843.5 of Title 21 of the
13 Oklahoma Statutes; and

14 2. Filter or block access to child pornography or obscene
15 materials, as defined in Section 1024.1 of Title 21 of the Oklahoma
16 Statutes, or materials that depict child sexual exploitation, as
17 defined in Section 843.5 of Title 21 of the Oklahoma Statutes.

18 C. Notwithstanding any contract provision to the contrary, if a
19 provider of digital or online library resources fails to comply with
20 the requirements of subsection B of this section, the school
21 district, public charter school, state agency, public library, or
22 ~~university~~ institution of higher education shall withhold further
23 payments, if any, to the provider pending verification of
24 compliance.

1 D. If a provider of digital or online library database
2 resources fails to timely verify that the provider is in compliance
3 with the safety policies and requirements of subsection B of this
4 section, the school district, public charter school, state agency,
5 public library, or ~~university~~ institution of higher education shall
6 consider the provider's act of noncompliance a breach of contract.

7 E. No later than December 1 of each year, libraries shall
8 submit to the Speaker of the ~~Oklahoma~~ House of Representatives and
9 President Pro Tempore of the ~~Oklahoma State~~ Senate an aggregate
10 written report on any issues related to provider compliance with
11 technology protection measures required by subsection B of this
12 section.

13 F. Employees of school districts, charter schools, virtual
14 charter schools, state agencies, public libraries, and universities
15 shall not be exempt from prosecution for willful violations of state
16 law prohibiting indecent exposure to obscene material or child
17 pornography as provided in Section 1021 of Title 21 of the Oklahoma
18 Statutes.

19 G. Nothing in this act shall be construed in a manner that
20 applies to digital or online library database resources offered by
21 institutions of higher education when the primary purpose of the
22 resources is for education or research.

23 SECTION 2. This act shall become effective July 1, 2023.
24

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health, or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER TECH,
dated 04/10/2023 - DO PASS.

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