

HOUSE BILL 2454

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17 and Title 49, Chapter 1, relative to
children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-902, is amended by deleting the language "educational," in subsection (e).

SECTION 2. Tennessee Code Annotated, Section 49-1-221(a)(1), is amended by deleting subdivision (C) and substituting:

(C) Select a technology for the LEA's computers having internet access that will:

(i) Filter, block, or otherwise prevent access to pornography or obscenity through online resources; and

(ii) Prohibit and prevent a user from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined in § 39-17-901;

SECTION 3. Tennessee Code Annotated, Section 49-1-221, is amended by adding the following as new subsections:

(c)

(1) The provider of a digital or online resource for the LEAs computers shall verify that the resource:

(A) Prohibits and prevents a user of the resource from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined in § 39-17-901; and

(B) Filters or blocks access to child pornography or obscenity.

(2) If a provider of digital or online resources fails to comply with subdivision (c)(1), then the LEA may withhold further payments, if any, to the provider pending verification of the provider's compliance with this section.

(3) If a provider of digital or online resources fails to timely verify the provider's compliance with this section, then the LEA may consider the provider's non-compliance a breach of contract.

(d) Each local board of education shall:

(1) Establish, or contract with a third party to establish, a mechanism for the parent or legal guardian of a student enrolled in the LEA, or a student enrolled in the LEA, to report a failure of the technology selected by the LEA to filter, block, or otherwise prevent access to pornography or obscenity through online resources to the respective school; and

(2) Submit an annual report to the state board of education on the successes or failures of the technology selected by the LEA to filter, block, or otherwise prevent access to pornography or obscenity through online resources, including the number of reports submitted pursuant to subdivision (d)(1).

SECTION 4. This act takes effect on July 1, 2022, the public welfare requiring it.