1	MODERN COMMUNICATIONS DECENCY ACT
2	2020 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Todd Weiler
5	House Sponsor:
6	
7	LONG TITLE
8	General Description:
9	This bill enacts provisions related to technology protection measures for
10	Internet-enabled devices.
11	Highlighted Provisions:
12	This bill:
13	defines terms; and
14	 requires a retailer of an Internet-enabled device to activate any
15	manufacturer-installed technology protection measures before sale.
16	Money Appropriated in this Bill:
17	None
18	Other Special Clauses:
19	None
20	Utah Code Sections Affected:
21	ENACTS:
22	13-57-101, Utah Code Annotated 1953
23	13-57-102, Utah Code Annotated 1953
24	13-57-201, Utah Code Annotated 1953
25	
26	Be it enacted by the Legislature of the state of Utah:



Section 1. Section 13-57-101 is enacted to read:

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S.B. 243 03-05-20 11:13 AM

28	CHAPTER 57. MODERN COMMUNICATIONS DECENCY ACT
29	Part 1. General Provisions
30	13-57-101. Title.
31	This chapter is known as the "Modern Communications Decency Act."
32	Section 2. Section 13-57-102 is enacted to read:
33	<u>13-57-102.</u> Definitions.
34	As used in this chapter:
35	(1) "Internet-enabled device" means a computer, tablet, telephone, or mobile device
36	that is capable of downloading, accessing, manipulating, storing, or translating electronic data
37	over the Internet.
38	(2) "Pornographic or indecent material" means the same as that term is defined in
39	Section 76-10-1235.
40	(3) "Technology protection measure" means a technology that blocks or filters Internet
41	access to pornographic or indecent material.
42	Section 3. Section 13-57-201 is enacted to read:
43	Part 2. Internet-enabled Device Requirements
44	13-57-201. Technology protection measures Retailer duties Attorney General
45	duties.
46	(1) Except as provided in Subsection (2), a retailer that sells, offers for sale, leases, or
47	distributes an Internet-enabled device that comes from the manufacturer with a technology
48	protection measure installed shall ensure that the technology protection measure is activated at
49	the time of sale, lease, or distribution of the device.
50	(2) Subsection (1) does not apply if the consumer:
51	(a) requests that the technology protection measure not be activated; and
52	(b) presents personal identification information to verify that the consumer is 18 years
53	of age or older.
54	(3) This section does not apply to an occasional sale of an Internet-enabled device by a
55	person that is not regularly engaged in the business of selling Internet-enabled devices.