

2018 -- S 2584

=====
LC003543
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

—————
A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - INTERNET DIGITAL BLOCKING

Introduced By: Senators Ciccone, and Gallo

Date Introduced: March 01, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-2 of the General Laws entitled "Duties of Utilities and Carriers"
2 is hereby amended by adding thereto the following section:

3 **39-2-20.2. Internet digital blocking.**

4 (a) An Internet service provider, as defined in § 39-2-20.1, shall provide with any Internet
5 service or product sold, leased or distributed, a digital blocking capability that renders
6 inaccessible sexual content and/or patently offensive material as defined in § 11-31-1.

7 (b) A person who manufactures, sells, offers for sale, leases, or distributes a product that
8 makes content accessible on the Internet shall:

9 (1) Make reasonable and ongoing efforts to ensure that the digital content blocking
10 capability functions properly;

11 (2) Establish a reporting mechanism, such as a website or call center, to allow a consumer
12 to report unblocked sexual content or potentially offensive material or report blocked material
13 that is not sexual content or potentially offensive;

14 (3) Ensure that all child pornography and revenge pornography is inaccessible on the
15 product;

16 (4) Prohibit the product from accessing any hub that facilitates prostitution; and

17 (5) Render websites that are known to facilitate human trafficking, in violation of chapter
18 67.1 of title 11, inaccessible.

19 (c) Any digital blocking capability may be deactivated after a consumer:

- 1 (1) Requests in writing that the capability be disabled;
- 2 (2) Presents identification to verify that the consumer is eighteen (18) years of age or
- 3 older;
- 4 (3) Acknowledges receiving a written warning regarding the potential danger of
- 5 deactivating the digital blocking capability; and
- 6 (4) Pays a one-time twenty-dollar (\$20.00) digital access fee.
- 7 (d) A person who manufactures, sells, offers for sale, leases, or distributes a product that
- 8 makes content accessible on the Internet shall submit the funds collected as the digital access fee,
- 9 pursuant to subsection (c)(4) of this section to the general treasurer each quarter. The general
- 10 treasurer shall forward the funds collected to the attorney general to help fund the operations of
- 11 the council on human trafficking, established by § 11-67.1-19.
- 12 (e) If the digital blocking capability blocks material that is not sexual content or patently
- 13 offensive and the block is reported to a call center or reporting website, the material shall be
- 14 unblocked within a reasonable time, but in no event later than five (5) business days after the
- 15 block is first reported.
- 16 (f) A consumer may seek judicial relief to unblock filtered content.
- 17 (g) If a person who manufacturers, sells, offers for sale, leases, or distributes a product
- 18 that makes content accessible on the Internet is unresponsive to a report of sexual content or
- 19 patently offensive material that has breached the filter required by this section, the attorney
- 20 general or a consumer may file a civil suit. The attorney general or a consumer may seek damages
- 21 of up to five hundred dollars (\$500) for each piece of content that was reported but not
- 22 subsequently blocked. The prevailing party in the civil action may seek attorneys' fees.
- 23 SECTION 2. This act shall take effect upon passage.

=====
LC003543
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - INTERNET DIGITAL BLOCKING

1 This act would require Internet service providers to provide digital blocking of sexual
2 content and patently offensive material. It would allow consumers to deactivate digital block
3 upon payment of a twenty dollar (\$20.00) fee.

4 This act would take effect upon passage.

=====
LC003543
=====