

BILL ANALYSIS

Senate Research Center
79R4156 MXM-D

S.B. 1293
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Criminal Justice
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

This legislation attempts to address widespread concern over a correlation between access to obscene material and subsequent violent or sexual crime.

As proposed, S.B. 1293 places a prohibition on Internet access to obscene materials via wireless Internet service provided by the state on state property, including, but not limited to, state correctional facilities. The prohibition does not extend to a university system or institutions of higher education. S.B. 1293 also allows a county sheriff to ban or filter obscene materials in a county jail.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter F, Chapter 2054, Government Code, by adding Section 2054.124, as follows:

Sec. 2054.124. WIRELESS INTERNET ACCESS TO OBSCENE MATERIALS. (a) Defines "correctional facility," "obscene," and "material."

(b) Prohibits a state agency that provides wireless Internet access on state property from allowing access to obscene materials through the use of that wireless access.

(c) Requires the Department of Information Resources to assist a state agency that requests assistance in prohibiting access under this section, including prohibiting access by using a filter or other software.

(d) Prohibits wireless Internet access to obscene materials at a correctional facility that is owned by, or operated by or for, the state.

(e) Provides that this section does not apply to a university system or institution of higher education.

SECTION 2. Amends Subchapter C, Chapter 351, Local Government Code, by adding Section 351.045, as follows:

Sec. 351.045. WIRELESS INTERNET ACCESS TO OBSCENE MATERIALS. Authorizes the sheriff to ban or otherwise filter wireless Internet access to obscene materials in the county jail.

SECTION 3. Effective date: September 1, 2005.