

REPRINT

**SUBSTITUTE FOR
SENATE BILL NO. 936**

(As Passed the Senate February 17, 2000)

A bill to amend 1982 PA 455, entitled
"The library privacy act,"
by amending section 6 (MCL 397.606), as added by 1999 PA 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) If a library offers use of the internet or a
2 computer, computer program, computer network, or computer system
3 to the public, the governing body of that library ~~may authorize~~
4 ~~or may require that the library restrict~~ SHALL ADOPT AND REQUIRE
5 ENFORCEMENT OF A POLICY THAT RESTRICTS access to minors by pro-
6 viding the use of the internet or a computer, computer program,
7 computer network, or computer system in 1 OF the following
8 ~~manner~~ WAYS:

9 (A) BOTH OF THE FOLLOWING:

Sub. S.B. 936 (S-4) as amended May 4, 2000

2

1 (i) ~~(a)~~ By making available, to individuals of any age, 1
2 or more terminals that are restricted from receiving obscene
3 matter or sexually explicit matter that is harmful to minors.

4 (ii) ~~(b)~~ By reserving, to individuals 18 years of age or
5 older or minors who are accompanied by their parent or guardian,
6 1 or more terminals that are not restricted from receiving any
7 material.

8 (B) BY UTILIZING A SYSTEM OR METHOD THAT IS DESIGNED TO PRE-
9 VENT A
10 MINOR FROM VIEWING OBSCENE MATTER OR SEXUALLY EXPLICIT MATTER
11 THAT IS HARMFUL TO MINORS.

12 (2) A GOVERNING BODY OF A LIBRARY, MEMBER OF A GOVERNING
13 BODY OF A LIBRARY, LIBRARY, OR AN AGENT OR EMPLOYEE OF A GOVERN-
14 ING BODY OF A LIBRARY OR LIBRARY, IS [IMMUNE FROM LIABILITY IN
15 A CIVIL ACTION AS PROVIDED IN SECTION 7 OF THE REVISED JUDICATURE
16 ACT OF 1961, 1961 PA 236, MCL 691.1407.]

17 (3) THIS SECTION DOES NOT APPLY TO A LIBRARY ESTABLISHED BY
A COMMUNITY COLLEGE DISTRICT, A COLLEGE OR UNIVERSITY, OR A PRI-
VATE LIBRARY OPEN TO THE PUBLIC.

18 Enacting section 1. This amendatory act takes effect
19 [October 1, 2000.]