

**SB1682**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB1682**

Introduced 2/9/2007, by Sen. Matt Murphy

**SYNOPSIS AS INTRODUCED:**

New Act  
30 ILCS 805/8.31 new

Creates the Social Networking Website Prohibition Act. Provides that each public library must prohibit access to social networking websites on all computers made available to the public in the library. Provides that each public school must prohibit access to social networking websites on all computers made available to students in the school. Provides for enforcement by the Attorney General or a citizen. Amends the State Mandates Act to require implementation without reimbursement. Effective January 1, 2008.

LRB095 11001 NHT 31309 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

1 AN ACT concerning social networking websites.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Social  
5 Networking Website Prohibition Act.

6 Section 5. Definitions. In this Act:

7 "Administrative unit" means the entity designated by the  
8 State or a unit of local government or school district as  
9 responsible for the administration of all public library  
10 locations established or maintained by that governmental  
11 entity.

12 "Computer" means a computer, as that term is defined in  
13 Section 16D-2 of the Computer Crime Prevention Law (720 ILCS  
14 5/16D-2), that has Internet access.

15 "Public library" means any library established or  
16 maintained by the State or by any unit of local government or  
17 school district in this State, but does not include any library  
18 of a college or university.

19 "School" means a public school located in this State.

20 "School board" means the school board of a school district  
21 in this State.

22 Section 10. Prohibition. Each public library must prohibit

1 access to social networking websites on all computers made  
2 available to the public in the library. Each school must  
3 prohibit access to social networking websites on all computers  
4 made available to students in the school.

5 Section 15. Enforcement. If a public library or school  
6 fails to comply with Section 10 of this Act, the Attorney  
7 General or a citizen of this State is authorized to seek  
8 enforcement as provided in this Section. The Attorney General  
9 or a citizen shall first mail to the applicable administrative  
10 unit or school board a notice of intended civil action for  
11 enforcement that shall identify each public library or school  
12 location at which a violation is alleged to have occurred and  
13 shall specify the facts and circumstances of the alleged  
14 violation of Section 10. Within 15 days after the receipt of  
15 the notice, the administrative unit or school board shall mail  
16 to the party that sent the notice a written response indicating  
17 whether the administrative unit disputes that an alleged  
18 violation occurred, with the reason it disputes the allegation,  
19 or whether each public library or school location identified in  
20 the notice has complied with or has initiated reasonable  
21 efforts toward compliance with the requirements of Section 10.  
22 If the Attorney General or the citizen does not receive a  
23 written response within 25 days after receipt of the notice by  
24 the administrative unit or school board or if, after receiving  
25 the written response, the Attorney General or the citizen is

1 not satisfied that compliance with the requirements of Section  
2 10 has been rendered or that reasonable efforts toward  
3 compliance have been initiated, the party that sent the notice  
4 may bring a civil action to enforce Section 10 in the circuit  
5 court of the county in which the administrative unit or school  
6 board is located.

7 All mailings required by this Section shall be certified  
8 with return receipt requested.

9 No cause of action, except that authorized by this Section,  
10 shall arise in favor of a person due to the failure of a public  
11 library or school to comply with Section 10 of this Act.

12 Section 80. Rules. The State Librarian shall adopt rules to  
13 implement and administer the provisions of this Act with  
14 respect to public libraries. The State Board of Education shall  
15 adopt rules to implement and administer the provisions of this  
16 Act with respect to schools.

17 Section 90. The State Mandates Act is amended by adding  
18 Section 8.31 as follows:

19 (30 ILCS 805/8.31 new)

20 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
21 of this Act, no reimbursement by the State is required for the  
22 implementation of any mandate created by the Social Networking  
23 Website Prohibition Act.

1           Section 99. Effective date. This Act takes effect January  
2    1, 2008.