

SENATE BILL 2852

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 7;
Title 8, Chapter 6; Title 47 and Title 65, relative to
internet service.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following new part:

47-18-3101.

This part shall be known and may be cited as the "Safer Internet for Minors Act."

47-18-3102.

As used in this part:

(1) "Device" means equipment that allows a consumer in this state to access the internet and view or download content from the internet;

(2) "Internet service provider" means a business that provides internet access service to a consumer in this state for a fee;

(3) "Minor" means any person under eighteen (18) years of age; and

(4) "Online parental controls" means an internet-accessible program that renders inaccessible certain digital content or websites that a parent or legal guardian finds objectionable.

47-18-3103.

An internet service provider shall:

(1) Provide to consumers online parental controls that block access to a specific website or website category;

(2) Include with internet access service on any device, at no additional cost to the consumer, online parental controls in accordance with this part;

(3) Activate online parental controls by default under any internet access service contract entered into, amended, or renewed on or after July 1, 2021;

(4) On or before July 1, 2021, or upon entering a new internet access service contract with a consumer in this state on or after July 1, 2021, provide each consumer of internet service with a conspicuous notice, which may be provided by electronic means, about the online parental controls required under this part and how the consumer can access and manage the online parental controls required by this part;

(5) Provide consumers with a method to access online parental controls, which must include, at a minimum, the use of a secure password or personal identification number; and

(6) Not use any information collected from consumers pursuant to this part for any reason other than compliance with this part.

47-18-3104.

(a) Online parental controls, in accordance with this part, must include a category specific to pornographic content and must block access to any pornographic website or digital content.

(b) An internet service provider may include with online parental controls a feature to restrict the amount of time a consumer in this state may access the internet, age-specific websites or digital content categories, or any other feature that allows a parent or legal guardian to control and monitor internet use by a minor.

47-18-3105.

(a) On or before October 1, 2021, the attorney general and reporter shall provide a written notice to each internet service provider that is not in compliance with this part that details the reasons the internet service provider is out of compliance with this part,

and require the internet service provider to comply with this part within ninety (90) days of the date of the notice.

(b) The division of consumer affairs of the office of the attorney general and reporter may provide internet service providers with a list of companies that offer products or services that satisfy the requirements of § 47-18-3104.

(c) A violation of this part constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in part 1 of this chapter. For purposes of the Tennessee Consumer Protection Act of 1977, any violation of this part constitutes an unfair or deceptive act or practice affecting the conduct of trade or commerce and is subject to the penalties and remedies provided by that act.

SECTION 2. This act shall take effect January 1, 2021, the public welfare requiring it.