

Author: Garcia, et al. Analyst: Rachel Coco Bill Number: AB 546

Related Bills: \_\_\_\_\_ Telephone: 845-4328 Amended Date: March 23, 2006

Attorney: Patrick Kusiak Sponsor: \_\_\_\_\_

**SUBJECT:** State Agency Computers/Unlawful For Persons To Knowingly Use State-Owned Or State-Leased Computers To Access, View, Download Or Otherwise Obtain Obscene Matter Except For Specified Purposes

- ANALYSIS NOT REQUIRED of this bill – Not within scope of responsibility of this department.
- TECHNICAL BILL – No program or fiscal changes to existing program.
- BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.
- TECHNICAL AMENDMENT – No change in previously submitted analysis required. Approved position of prior analysis is \_\_\_\_\_.
- MINOR AMENDMENT – No change in previously submitted analysis required. Approved position of prior analysis is \_\_\_\_\_.
- MINOR AMENDMENT – No change in approved position of Pending.
- See Comments below
- OTHER – See comments below.

**COMMENTS:**

This bill would make it unlawful for any person to use a state-owned or state-leased computer to access, view, download, or otherwise obtain obscene matter.

The bill would not apply in instances where the obscene matter was obtained for use consistent with legitimate law enforcement or legislative purposes or in instances where medical, scientific, or academic research approved by a state agency is conducted.

The March 23, 2006, amendments removed the requirement that a state agency approve the medical, scientific, or academic research and instead require that the research be legitimate.

These amendments would not affect the department’s programs or operations. The department’s analysis of the bill as introduced February 16, 2005, still applies.

Board Position:	Franchise Tax Board Staff	Date
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