

Author: Garcia, et al. Analyst: Rachel Coco Bill Number: AB 546
 Related Bills: See Prior Analysis Telephone: 845-4328 Amended Date: January 13 & 19, 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 January 4, 2006.
- MINOR AMENDMENT – No change in approved position of _____.
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 knowingly 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.

The January 13, 2006, amendments expanded the exclusion of the prohibition to include instances in which a state agency conducts an administrative disciplinary investigation or instances where medical, scientific, or academic research approved by a state agency is conducted.

The January 13, 2006, amendments also added several coauthors.

The January 19, 2006, amendments added that the obscene matter must be obtained knowingly in order to be unlawful.

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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