

2018 Regular Session

SENATE BILL NO. 391

BY SENATOR MIZELL

STATE AGENCIES. To require state agencies to install internet filters to block content which is obscene or sexually harassing and which create a hostile work environment. (8/1/18)

1 AN ACT

2 To enact R.S. 42:1267, relative to sexual harassment prevention; to require the Department  
3 of Civil Service to adopt certain policies regarding access by state employees to  
4 certain internet and online sites; to identify and require certain filters; to block certain  
5 internet content; to provide certain exceptions; to provide clarifications; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:1267 is hereby enacted to read as follows:

9 **§1267. Policies; internet and online sites; access by state employees; exceptions**

10 **A. The Department of Civil Service shall adopt policies regarding the**  
11 **acceptable use by state employees, using state owned computers, to access the**  
12 **internet and online sites that contain or make reference to harmful material, the**  
13 **character of which is such that it is reasonably believed to be obscene,**  
14 **pervasively vulgar, pornographic, or sexually harassing and, therefore,**  
15 **reasonably believed to create a hostile work environment as defined by**  
16 **applicable state or federal laws.**

17 **B.(1) Any policies adopted by the Department of Civil Service pursuant**

1 to the provisions of this Section shall include the use of computer-related  
 2 technology or the use of internet service provider technology designed to block  
 3 access or exposure to any harmful material as specified in Subsection A of this  
 4 Section.

5 (2) The Department of Civil Service shall make every effort to identify  
 6 and locate free or low-cost filters which may be available to be placed on the  
 7 state owned computers in agencies with limited fiscal resources in order to block  
 8 access to any harmful material as specified in Subsection A of this Section.

9 C. The provisions of this Section shall not prohibit any authorized  
 10 employee from having unfiltered or unrestricted access to the internet or an  
 11 online service for legitimate scientific purposes, educational purposes, or law  
 12 enforcement purposes as determined and approved by the employee's agency  
 13 and in compliance with the policies adopted by the Department of Civil Service  
 14 pursuant to this Section.

15 D. The provisions of this Section are not intended to prohibit any state  
 16 employee from having unfiltered or unrestricted access to the internet or any  
 17 online service on a computer or device that is not owned by the state, so long as  
 18 the unrestricted device is not used to access or for exposure to any harmful  
 19 material as specified in Subsection A of this Section while the employee is in the  
 20 course and scope of his state employment.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Carla S. Roberts.

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SB 391 Original

DIGEST  
2018 Regular Session

Mizell

Proposed law requires Dept. of Civil Service to adopt policies regarding the acceptable use by state employees using state owned computers, to access the internet and online sites that contain or make reference to harmful material, the character of which is such that it is reasonably believed to be obscene, pervasively vulgar, pornographic, or sexually harassing so as to reasonably create a hostile work environment as defined by any applicable state or federal laws.

Proposed law provides that the policies adopted by the Dept. of Civil Service include the use of computer-related technology or the use of internet service provider technology designed to block access or exposure to any harmful material as specified in proposed law.

Proposed law specifies that proposed law does not prohibit any authorized employee from having unfiltered or unrestricted access to the internet or an online service for law enforcement, legitimate scientific, or educational purposes as determined and approved by the employing agency.

Proposed law clarifies that the provisions of proposed law do not prohibit any state employee from having unfiltered or unrestricted access to the internet or any online service on a computer or device that is not owned by the state, so long as the unrestricted device is not used to access or for exposure to any harmful material during the hours in which he is working for the state.

Effective August 1, 2018.

(Adds R.S. 42:1267)