

REFERENCE TITLE: internet materials; harmful to minors

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1353

Introduced by
Senator Rogers

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 32;
RELATING TO INTERNET MATERIALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 32, to read:

4 CHAPTER 32

5 INTERNET MATERIALS THAT ARE HARMFUL TO MINORS

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7501. Definition of harmful to minors

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES, "HARMFUL TO
9 MINORS" HAS THE SAME MEANING PRESCRIBED IN SECTION 13-3501.

10 44-7502. Age verification

11 BEFORE A WEBSITE ALLOWS A PERSON IN THIS STATE TO ACCESS MATERIAL
12 THAT IS HARMFUL TO MINORS, THE PERSON MUST VERIFY THAT THE PERSON IS AT
13 LEAST EIGHTEEN YEARS OF AGE THROUGH THE USE OF A CREDIT CARD. AGE
14 VERIFICATION THROUGH AN ONLINE AGREEMENT IN WHICH THE USER SIGNIFIES THE
15 USER'S ACCEPTANCE BY CLICKING A BUTTON OR CHECKING A BOX IS NOT SUFFICIENT
16 TO VERIFY THE PERSON IS AT LEAST EIGHTEEN YEARS OF AGE FOR THE PURPOSES OF
17 THIS SECTION.

18 44-7503. Websites; domain names; internet service providers;
19 civil liability; civil penalties

20 A. A WEBSITE THAT CONTAINS MATERIAL THAT IS HARMFUL TO MINORS AND
21 THAT ORIGINATES OR IS HOSTED IN THIS STATE MUST HAVE THE TOP-LEVEL DOMAIN
22 NAME .XXX.

23 B. A WEBSITE THAT VIOLATES THIS CHAPTER AND AN INTERNET SERVICE
24 PROVIDER THAT HOSTS A WEBSITE THAT VIOLATES THIS CHAPTER ARE CIVILLY
25 LIABLE FOR THE VIOLATION AND ARE SUBJECT TO THE FOLLOWING CIVIL PENALTIES
26 OF NOT MORE THAN THE FOLLOWING AMOUNTS FOR EACH VIOLATION:

27 1. \$21,663 FOR A FIRST VIOLATION.

28 2. \$54,157 FOR A SECOND VIOLATION WITHIN A FIVE-YEAR PERIOD.

29 3. \$108,315 FOR A THIRD OR SUBSEQUENT VIOLATION WITHIN A SEVEN-YEAR
30 PERIOD.