



2018 New York State YMCA  
Youth And Government

FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

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Committee Assignment: Assembly Freedom 4

Bill #: AF-24

1 **Sponsors:** Lucas Konarski, Jacob Furry, Aine Hunt, Alexandra Feldman

2

3 **An Act To**

4 Amend §260 section 12 of the education law to clarify the requirements of internet  
5 filtering set by the Children's Internet Protection Act on public libraries.

6

7 *The People of the State of New York, represented in the Senate and*  
8 *Assembly do enact as follows:*

9

10 **Purpose**

11 To clarify the requirements set by the Children's Internet Protection Act regarding  
12 internet filtering in public libraries. Access to a greater variety of educational  
13 websites will result in a more informed youth population.

14

15 **Summary of Provisions**

16 **Section 1**

17 Over-filtering: filtering beyond the requirement of CIPA (Children's Internet  
18 Protection Act)

19 Indian library: affiliate of the American Library Association

20 Patron: people who use libraries

21 **Section 2**

22 §260-12. The board of trustees of a public, free association or Indian library which  
23 provides public access to the internet shall establish a policy governing patron use  
24 of computer terminals which access the internet. Verification of such policy shall be  
25 included in the annual report submitted to the department.

26 a. Content filters must be connected to the library itself and not to private  
27 companies who exercise unknown influence over patrons' internet access.

28 b. Signs must be made visible to the patron that illustrate how content filters  
29 operate on an "opt out" model where the filter defaults to "on" unless  
30 specified differently.

31 i. Librarians must be made available to end or modify the filter settings  
32 when a patron finds over or under-filtering. Librarians will be trained  
33 by higher administrators on the filtering systems, so there will be few  
34 lengthy delays in the processing of patron requests.



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35 **Justification**

36 The role of computers is to access information that can better a student's  
37 understanding and progress their learning. It is clear that computers are beneficial  
38 for a student's productivity, but many times their access is limited by CIPA acting  
39 as an online overlord. CIPA filters internet access based on content that is deemed  
40 "(a)obscene; (b)child pornography; or (c)harmful to minors". These broad  
41 definitions result in over-filtering and under-filtering fifteen to twenty percent of the  
42 time. Some content that is over-filtered are health education websites, which  
43 contain essential knowledge for the development of children. Additionally, according  
44 to the ALA, filters are designed to block unpopular or controversial opinions, as well  
45 as social media platforms. Over-filtering limits students' opportunity to succeed,  
46 explore their passions and discover their strengths. The students that are most  
47 affected by filters are the underprivileged who rely on public computers to complete  
48 their homework. According to Google Inc., sixty million Americans live without  
49 either high-speed internet or a smartphone. It has come to a point where filtering  
50 has infringed on our civil liberties and is limiting the digital literacy of our youth. We  
51 need more and more digitally literate students in an ever-progressing technological  
52 world and filtering hinders this goal.

53

54 **Fiscal Implications**

55 Impact on the state budget will be minimal as public libraries will still have federal  
56 funding for internet access from CIPA. They are only making changes to how the  
57 process of filtering functions. The only possible costs will come from training  
58 librarians to effectively stop under-blocking and over-blocking. Additionally, posters  
59 will have to be made to notify patrons that they can contact a librarian if something  
60 is filtered that they would like to access to.

61

62 **Effective Date**

63 This bill will go into effect the June following its passage.