

# TABLED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 579

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

S579-ACExfr-67 [v.10]

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Amends Title [YES]  
First Edition

Date \_\_\_\_\_, 2023

Senator Grafstein

1 moves to amend the bill on page 1, line 2, by inserting the following at the end of the line before  
2 the period:

3  
4 "AND TO REGULATE MATERIALS THAT ARE HARMFUL TO MINORS ON THE  
5 INTERNET AND TO ESTABLISH A PRIVILEGE TAX ON THE DISTRIBUTION OF  
6 MATERIALS THAT ARE HARMFUL TO MINORS";

7  
8 and on page 1, lines 8-9, by rewriting the lines to read:

9  
10 "SECTION 1.5 The General Statutes are amended by adding a new Chapter to read:  
11 "Chapter 75F.

12 "Regulating Harmful Materials on the Internet.

13 "§ G.S. 75F-1 Internet access; material harmful to minors; age verification; civil liability.

14 (a) A commercial entity that intentionally or knowingly publishes or distributes material  
15 harmful to minors on the internet from a website that contains a substantial portion of such  
16 material shall verify that any person attempting to access material harmful to minors is at least  
17 18 years of age. Verification may be made by either of the following:

18 (1) By using a commercially available database that is regularly used by  
19 businesses or governmental entities for the purposes of age and identity  
20 verification.

21 (2) Through any other commercially reasonable method of age and identity  
22 verification.

23 (b) A commercial entity that violates this section is subject to civil liability for damages  
24 resulting from a minor's access to material harmful to minors, including reasonable attorney fees  
25 and costs.

26 (c) This section does not impose an obligation or a liability on a provider or user of an  
27 interactive computer service on the internet.

28 (d) For the purposes of this section:

29 (1) "Interactive computer service" means any information service, system or  
30 access software provider that provides or enables computer access by multiple  
31 users to a computer server, including a service or system that provides access



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1 to the internet and systems operated or services offered by libraries or  
2 educational institutions.

3 (2) "Internet" has the meaning prescribed by G.S. 14-208.6.

4 (3) "Material harmful to minors" means any description or representation of  
5 nudity, sexual conduct, sexual excitement, or sadomasochistic abuse that  
6 meets both of the following:

7 a. Any of the following material that exploits, is devoted to, or  
8 principally consists of descriptions of actual, simulated, or animated  
9 display or depiction of any of the following, in a manner patently  
10 offensive with respect to minors:

11 1. Pubic hair, anus, vulva, genitals, nipple of the female breast,  
12 testicles, penis, scrotum, or labia.

13 2. Touching, caressing, or fondling of nipples, breasts, buttocks,  
14 anuses, or genitals.

15 3. Sexual intercourse, masturbation, sodomy, bestiality, oral  
16 copulations, flagellation, excretory functions, exhibitions, or  
17 any other sexual act.

18 c. Is, when taken as a whole, lacking in serious literary, artistic,  
19 educational, political, or scientific value for minors.

20 (4) As used in this section, "Substantial Portion" means that more than thirty-three  
21 and one-third percent (33.33 %) of the total material on a website is explicit  
22 sexual material harmful to minors.

23 **§ 75F-2. Prevent Harm to Children Task Force.**

24 (a) Task Force Created. – There is created the Prevent Harm to Children Task Force  
25 (Task Force) within the Department of Health and Human Services (DHHS).

26 (b) Chair – The Chair of the Task Force shall be the Secretary of DHHS.

27 (c) Members and Appointments – All members of the Task Force are voting members,  
28 and the members selected should represent all major geographic areas of North Carolina to the  
29 extent reasonably practicable. There shall be twenty-one (21) members of the Task Force, the  
30 Chair, and the following twenty (20) members, who shall be appointed by the Governor:

31 (1) Five members of the medical field, three of which shall be  
32 pediatricians.

33 (2) Five licensed clinical child therapists, who are psychologists or  
34 licensed clinical social workers. Two of these therapists shall have  
35 specialization in treating pornography addiction.

36 (3) Two members of child advocacy groups.

37 (4) One member from a law enforcement agency.

38 (5) One juvenile court counselor.

39 (6) Six members of the general public who are citizens of North Carolina.

40 (d) Duties. – The Task Force shall study the harm of pornography on minors and make  
41 recommendations about how the State of North Carolina can address this harm and protect the  
42 youth of the State. The Task Force shall create reports summarizing its findings and  
43 recommendations and submit these reports pursuant to subsection (e) of this section.



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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_