To amend chapter 407, RSMo, by adding thereto one new section relating to obscene websites.

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.1600, to read as follows:

407.1600. 1. This section shall be known and may be cited as the "Protect Young Minds Online Act".

2. For the purposes of this section, the following terms shall mean:

   (1) "Internet service provider", a business or a person engaged in the business of providing access to the internet with the intent of making a profit;

   (2) "Obscene", material or internet content which is or contains child pornography, explicit sexual material, sadomasochistic abuse, sexual conduct, sexually explicit conduct, or sexual performance as those terms are defined in section 573.010. "Obscene" shall also have the same meaning as used in section 573.010;

   (3) "Subscriber", a person that has entered into an agreement with an internet service provider to gain access to the internet, including wirelessly, for residential access.

3. An internet service provider, when entering into an agreement with subscribers residing in Missouri, shall offer
subscribers the ability to filter obscene websites as set forth in subsection 4 of this section. Opting in or out of such filtering system shall be a prerequisite to receiving internet service for new subscribers of internet service providers. Additionally, on an annual basis, such subscribers shall be given the opportunity to opt-out or opt-in to the filtering system. In a communication with its subscribers, an internet service provider shall give subscribers the option to check a "yes" box signifying that the subscriber wants to have access to the filtering system for the next year or the option to check a "no" box signifying that the subscriber does not want to have access to the filtering system for the next year.

4. The internet service provider shall use a filtering system, and such system may be operated by an independent third party, that meets current industry standards of website filtering as the method of redirecting obscene websites for adult access only, and this system shall also stay updated according to current industry standards in order to maintain the current listing of websites deemed obscene as defined in subsection 2 of this section. The system shall also include the ability to update or correct mischaracterized websites.

5. An internet service provider shall not be deemed to be in violation of this section if the provider makes a good faith effort to apply a generally accepted and commercially reasonable method of compliance in accordance with subsection 4 of this section.

6. The attorney general may seek injunctive and other equitable relief against an internet service provider that fails to comply with the provisions of this section.