

HOUSE BILL No. 6430

September 7, 2006, Introduced by Reps. David Law, Farhat, Baxter, Moore, Acciavatti, Pavlov, Mortimer, Nitz, Casperson, Stahl, Palsrok, Caul, Ball and Pastor and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 411u.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 411U. (1) A PERSON WHO HAS BEEN CONVICTED OF ANY OF THE
2 FOLLOWING OFFENSES SHALL NOT ACCESS A COMMERCIAL SOCIAL NETWORKING
3 WEBSITE:

4 (A) SECTION 520B, 520C, 520D, OR 520E OF THE MICHIGAN PENAL
5 CODE, 1931 PA 328, MCL 750.520B, 750.520C, 750.520D, AND 750.520E,
6 HAVING TO DO WITH CRIMINAL SEXUAL CONDUCT.

7 (B) SECTION 145C OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
8 750.145C, HAVING TO DO WITH CHILD SEXUALLY ABUSIVE ACTIVITY OR
9 MATERIALS.

1 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), A PERSON WHO
2 VIOLATES SUBSECTION (1) IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
3 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
4 \$1,000.00, OR BOTH.

5 (3) FOR A SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION (1),
6 THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
7 MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

8 (4) AS USED IN THIS SECTION, "COMMERCIAL SOCIAL NETWORKING
9 WEBSITE" MEANS A COMMERCIALLY OPERATED INTERNET WEBSITE OFFERED BY
10 A COMMERCIAL ENTITY THAT DOES ALL OF THE FOLLOWING:

11 (A) PERMITS REGISTERED USERS TO CREATE AN ON-LINE PROFILE THAT
12 INCLUDES DETAILED PERSONAL INFORMATION.

13 (B) PERMITS REGISTERED USERS TO CREATE AN ON-LINE JOURNAL AND
14 SHARE THAT JOURNAL WITH OTHER USERS.

15 (C) PERMITS REGISTERED USERS TO SHARE HIGHLY PERSONALIZED
16 INFORMATION.

17 (D) ENABLES COMMUNICATION AMONG USERS.