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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2895

05/16/2019 Authored by Gruenhagen, Gunther, Urdahl, Erickson, Backer and others
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to commerce; requiring age verification to view pornography online;
1.3 proposing coding for new law in Minnesota Statutes, chapter 325F.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 325F.6945 AGE VERIFICATION REQUIREMENTS; ADULT
1.6 CONTENT AND VIDEO.

1.7 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.8 the meaning given.

1.9 (b) "Commercial basis" means produced (i) for sale, or (ii) for distribution with
1.10 advertisements or other offers to generate revenue in connection with the website content.

1.11 (c) "Pornographic material" means material included in a video, still image, or series of
1.12 images, with or without sound, that is reasonably assumed from its nature to be produced
1.13 solely or principally for sexual arousal.

1.14 Subd. 2. Age verification required. (a) A provider of online pornographic material that
1.15 makes available pornographic material to persons in Minnesota on a commercial basis must
1.16 verify the age of the individual viewing or purchasing pornographic material.

1.17 (b) A provider of pornographic material that makes available pornographic material on
1.18 the Internet must ensure the pornographic material on the provider's website is not accessible
1.19 to an individual under the age of 18, and must use age verification software and other identity
1.20 verification consistent with industry best practices and subject to subdivision 3.

1.21 Subd. 3. Enforcement. The commissioner of commerce must issue guidelines regarding
1.22 the use of age verification software and online identity verification to guide companies

- 2.1 providing pornographic material to consumers in Minnesota. The commissioner may issue
- 2.2 a civil penalty of up to \$10,000 for each violation of subdivision 2 by a person that provides
- 2.3 pornographic material on a commercial basis in Minnesota.