

Resolution - Regulate Pornography to Protect Children

WHEREAS, Parents and citizens have become increasingly alarmed about the **inappropriate and harmful materials** available to Texas minors on devices and adult websites. Studies clearly demonstrate the **mental, emotional and physical harms of pornography** to minors, including depression, anxiety, difficulty forming healthy relationships, and increased acceptance of, or acting out of, sexual acts or sexually aggressive. Similar to Big Tobacco, the Pornography Industry **targets youth**, resulting in increasingly younger ages of exposure. **Technology** can be effectively used to filter and limit access to devices and websites.

WHEREAS, After Louisiana passed an **Age Verification for Porn Sites** bill in 2022, PornHub complied on the effective date. Six states ([Utah 2023 SB 287](#), [Mississippi 2023 SB 2346](#), [Arkansas 2023 SB 66](#), [Virginia SB 1515](#), [Montana SB 544](#), [North Carolina 2023 H 8](#)) passed similar language in 2023, PornHub blocked all users in these states rather than comply. Representative Shaheen’s Age Verification for Porn sites [Texas 2023 88R HB 1181](#) passed with additional language to require a warning label on Porn sites and AG enforcement. The Adult Entertainment Industry has sued the state of Texas and we await the final ruling. This legislation:

- Requires Internet Websites with adult content to verify age before allowing access to site content.
- Protects minors from inadvertent access to adult sites with content in which more than one-third is sexual material harmful to minors.
- Prohibits retention of any identifying information of the individual after access has been granted to the materials.

WHEREAS, In 2021, Utah passed [Utah 2021 HB 72](#) requiring **Device Filters**, however, this legislation does not become effective until five other states also pass this language. Senator Paxton and Representative Lozano filed [Texas 2023 88R SB 417](#) and [Texas 2023 88R HB 1936](#) respectively for Device Filters in Texas. These bills:

- Require manufacturers to default to “clean” vs “explicit” toggles on devices activated in the state of Texas.
- Protect children from accidentally accessing harmful content on devices upon delivery from the vendor.
- Require filters that would prevent a minor user from accessing, downloading, or displaying explicit material through use of a mobile data network, an internet network, or a software application owned and controlled by the electronic device manufacturer.
- Allow filter default to be circumvented only by entering a password or access code.
- Impose reasonable enforcement against violations holding manufacturers responsible.

WHEREAS, In 2023 Texas filed [Texas 2023 88R HB 3357](#) to provide **Civil Liability for Obscenity**. This bill would have:

- Provided civil liability damages arising from obscenity if the defendant engages in the obscenity or knowingly or intentionally benefits from participating in an entity that engages in the obscenity.
- Made a commercial entity liable to a person harmed for damages arising from the distribution, transmission, or display of harmful material to a minor if, knowing the character and content of the material, the entity knowingly or intentionally benefits from participating in the distribution, transmission, or display of harmful material to a minor by facilitating, aiding, encouraging, or contributing to the distribution, transmission, or display in a manner that is readily accessible to minors or includes a minor’s visual image, audio voice, or participation in any manner.

THEREFORE, BE IT RESOLVED, that the state of Texas _____ party should amend Plank #161 on Regulate Pornography:

Plank 161. Regulate Pornography: We call upon our state and federal elected leaders to require all websites displaying pornographic content in Texas to implement age verification for preventing minors from accessing the content, and to provide and pursue effective enforcement mechanisms. Exceptions should not be allowed based on percentage of site content, social media sites, or news gathering organizations. Texas Civil law should impose civil liability on perpetrators of obscenity, including child pornography, providing those harmed by obscenity a civil remedy against those responsible. In addition, Texas should require manufacturers to default to “clean” vs “explicit” toggles on devices activated in the state of Texas.

A copy of this resolution should be sent to the _____ County/Senate District #_____ Convention Resolutions Committee from Precinct #_____ with the recommendation that it be passed and sent to the State Convention Platform Committee of the _____ Party of Texas.