

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 603 Session of
2025INTRODUCED BY DUSH, J. WARD, FONTANA, STEFANO AND ROTHMAN,
APRIL 9, 2025

SENATOR BAKER, JUDICIARY, AS AMENDED, SEPTEMBER 28, 2026

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in computer offenses, providing for
3 Internet protections for minors.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 76 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER F

9 INTERNET PROTECTIONS FOR MINORS

10 Sec.

11 7671. Definitions.

12 7672. Age verification for certain publicly accessible Internet
13 websites.

14 § 7671. Definitions.

15 The following words and phrases when used in this subchapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Commercial entity." A corporation, limited liability

company, partnership, sole proprietorship or other legally
recognized entity that has a publicly accessible Internet
website on which the publicly accessible Internet website has a
substantial portion of material that is harmful to minors.

"Distributes." To issue, sell, give, provide, deliver,
transfer, transmute, circulate or disseminate by any means.

"Internet." The term shall mean the same as in section 7621
(relating to definitions).

"Material harmful to minors." The following:

(1) material that the average person, applying
contemporary community standards, would find, taking the
material as a whole and with respect to minors, is designed
to appeal to, or is designed to pander to, the prurient
interest;

(2) material that exploits, is devoted to or principally
consists of descriptions of actual, simulated or animated
display or depiction of any of the following, in a manner
patently offensive with respect to minors:

(i) pubic hair, anus, vulva, genitals or nipple of
the female breast;

(ii) touching, caressing or fondling of nipples,
breasts, buttocks, anuses or genitals; and

(iii) sexual intercourse, masturbation, sodomy,
bestiality, oral copulation, flagellation, excretory
functions, exhibitions or any other sexual act; ~~or~~ AND

(3) material that taken as a whole lacks serious
literary, artistic, political or scientific value for minors.

"Minor." An individual under 18 years of age.

"News-gathering organization." One of the following:

(1) an employee of a newspaper, news publication or news

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1 source, printed or on an online or mobile platform, of
2 current news and public interest while operating as an
3 employee who can provide documentation of employment with the
4 newspaper, news publication or news source; or

5 (2) an employee of a radio broadcast station, television
6 broadcast station, cable television operator or wire service
7 while operating as an employee who can provide documentation
8 of employment.

9 "Publish." To communicate or make information available to
10 another person on a publicly accessible Internet website.

11 "Reasonable age verification method." The following:

12 (1) verification through an independent, third-party age
13 verification service that compares the personal information
14 entered by the individual who is seeking access to the
15 material that is available from a commercially available
16 database or aggregate of databases that is regularly used by
17 government agencies and businesses for the purpose of age and
18 identity verification; or

19 (2) any commercially reasonable method that relies on
20 public or private transactional data to verify the age of the
21 person attempting to access the material.

22 "Substantial portion." More than 33.3% of total material on
23 the publicly accessible Internet website is material harmful to
24 minors.

25 "Transactional data." A sequence of information that
26 documents an exchange, agreement or transfer between an
27 individual, commercial entity or third party used for the
28 purpose of satisfying a request or event. The term includes
29 records from mortgage, education and employment entities.

30 § 7672. Age verification for certain publicly accessible

1 Internet websites.

2 (a) Duty of commercial entity.--A commercial entity that
3 knowingly and intentionally publishes or distributes material
4 harmful to minors on a publicly accessible Internet website that
5 contains a substantial portion of material that is harmful to
6 minors on the website shall perform reasonable age verification
7 methods to verify the age of an individual accessing the
8 publicly accessible Internet website. A commercial entity or
9 third party that performs the required age verification shall
10 not retain identifying information of the individual accessing
11 the publicly accessible Internet website that contains material
12 harmful to minors.

13 (b) Violations.--

14 (1) A commercial entity that is found to have violated
15 this section shall be liable to an individual for damages
16 resulting from a minor accessing material harmful to minors
17 on the publicly accessible Internet website, including court
18 costs and reasonable attorney fees as ordered by the court.

19 (2) A commercial entity that is found to have knowingly
20 retained identifying information of an individual after
21 access has been granted to the individual shall be liable to
22 the individual for damages resulting from retaining the
23 identifying information, including court costs and reasonable
24 attorney fees as ordered by the court.

25 (c) Exception.--

26 (1) This section shall not apply to a bona fide news or
27 public interest broadcast, website video, report or event and
28 shall not be construed to affect the rights of news-gathering
29 organizations.

30 (2) No Internet service provider, affiliate or

1 subsidiary of an Internet service provider, search engine or
2 cloud service provider shall be liable for a violation of
3 this section solely for providing access or connection to or
4 from a website or other information or content on the
5 Internet, or a facility, system or network not under that
6 Internet service provider's control, including transmitting,
7 downloading, storing or providing access, to the extent that
8 the provider is not responsible for the creation of the
9 content of the communication that constitutes material
10 harmful to minors.

11 Section 2. This act shall take effect in 90 days.